

Mojave Desert Air Quality Management District Governing Board Meeting

Agenda

LOCATION

**MOJAVE DESERT AQMD BOARD CHAMBERS
14306 PARK AVENUE VICTORVILLE, CA 92392
MONDAY, APRIL 24, 2017
10:00 AM**

TELECONFERENCE LOCATION(S)

San Bernardino County Government Center
385 N. Arrowhead Ave., Fifth Floor
San Bernardino, CA 92415

Blythe City Hall, Conference Room A
235 N. Broadway
Blythe, CA 92225

Riverside County Administrative Center
4080 Lemon Street, 5th Floor
Riverside, CA 95202

IF YOU CHALLENGE ANY DECISION REGARDING ANY OF THE LISTED PROPOSALS IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED DURING THE PUBLIC TESTIMONY PERIOD REGARDING THAT PROPOSAL OR IN WRITTEN CORRESPONDENCE DELIVERED TO THE GOVERNING BOARD AT, OR PRIOR TO, THE PUBLIC HEARING.

DUE TO TIME CONSTRAINTS AND THE NUMBER OF PERSONS WISHING TO GIVE ORAL TESTIMONY, PUBLIC COMMENTS ARE LIMITED TO THREE MINUTES PER SPEAKER. YOU MAY WISH TO MAKE YOUR COMMENTS IN WRITING TO ASSURE THAT YOU ARE ABLE TO EXPRESS YOURSELF ADEQUATELY.

Except where noted, all scheduled items will be heard in the Chamber of the Governing Board, Mojave Desert AQMD Offices, 14306 Park Avenue, Victorville, CA and the teleconference location(s). Please note that the Board may address items in the agenda in a different order than the order in which the item has been posted.

CALL TO ORDER 10:00 A.M.

Pledge of Allegiance.

Roll Call.

Items with potential Conflict of Interests - for information only. A. Item# 5. Governing Board Members, and Dave Corder.

PUBLIC COMMENT

CLOSED SESSION

1. CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6). Agency Designated Representatives: Roger Crawford. Employee Organization: Teamsters Local 1932.
2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION Name of Case: Michele Baird vs MDAQMD et. al CIVDS 1612446 San Bernardino County Superior Court (Government Code Section 54956.9)

OPEN SESSION

Disclosure of any Reportable action taken in Closed Session; and the Vote and Abstention of every Member Present in the Closed Session

CONSENT CALENDAR

3. [Approve Minutes from Regular Governing Board Meeting of March 27, 2017.](#)
4. [Amend Governing Board Policy 04-02, Annual Evaluation of Executive Director/APCO. Presenter: Jean Bracy](#)
5. [Reappoint Dave Corder, to the Hearing Board of the Mojave Desert Air Quality Management District \(MDAQMD\) as the public member for a 3 year term to expire April 24, 2020. Presenter: Brad Poiriez](#)
6. [Set date of June 12, 2017 to conduct a public hearing to consider the amendment of Rule 301 Permit Fees and approval of California Environmental Quality Act \(CEQA\) documentation. The June 12, 2017 public hearing will be opened and continued to June 26, 2017. Presenter: Alan De Salvio](#)
7. [Set date of June 12, 2017 to conduct a public hearing to consider the amendment of Rule 102 Definition of Terms and approval of California Environmental Quality Act \(CEQA\) documentation. Presenter: Alan De Salvio](#)

8. [Set date of June 12, 2017 to conduct a public hearing to consider the amendment of Rule 1158 Electric Generating Facilities and approval of California Environmental Quality Act \(CEQA\) documentation. Presenter: Alan De Salvio](#)
9. [Set date of June 12, 2017 to conduct a public hearing to consider the amendment of Rule 1162 Polyester Resin Operations and approval of California Environmental Quality Act \(CEQA\) documentation. Presenter: Alan De Salvio](#)
10. [Receive and File: The Legislative Report for April 6, 2017. Presenter: Brad Poiriez](#)
11. [Receive and File: The air toxics informational report. Presenter: Brad Poiriez](#)

ITEMS FOR DISCUSSION

12. DEFERRED ITEMS.
13. PUBLIC COMMENT.
14. [1\) Award an amount not to exceed \\$1,000,000 in Carl Moyer Program funds to the Mojave Northern Railroad Company for the replacement of one \(1\) locomotive with a new lower-emissions locomotive; and 2\) Authorize the Executive Director to negotiate target time frames and technical project details and execute an agreement. Presenter: Holly Noel](#)
15. [Reports: Executive Director](#)
16. Board Members Comments and Suggestions for future agenda items.

In compliance with the Americans with Disabilities act, if special assistance is needed to participate in the Board Meeting, please contact Deanna Hernandez during regular business hours at 760.245.1661 x6244. Notification received 48 hours prior to the meeting will enable the District to make reasonable accommodations.

I hereby certify, under penalty of perjury, that this agenda has been posted 72 hours prior to the stated meeting in a place accessible to the public. Copies of this agenda and any or all additional materials relating thereto are available at the District Office at 14306 Park Avenue, Victorville, Ca 92392 or by contacting Deanna Hernandez at 760.245.1661 x6244 or by email at dhernandez@mdaqmd.ca.gov .

Mailed & Posted on: Tuesday, April 18, 2017

Approved:

Deanna Hernandez

The following page(s) contain the backup material for Agenda Item: [Approve Minutes from Regular Governing Board Meeting of March 27, 2017.](#)

**MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT
REGULAR GOVERNING BOARD MEETING
MONDAY, MARCH 27, 2017 - 10:00 A.M.
BOARD CHAMBERS, MDAQMD OFFICES
VICTORVILLE, CA**

MINUTES

Board Members Present:

Jim Cox, Chair, City of Victorville
Carmen Hernandez, City of Barstow
Joseph “Joey” DeConinck, City of Blythe
Robert Leone, Town of Yucca Valley
Rebekah Swanson (Alternate), City of Hesperia
Barb Stanton, Town of Apple Valley
John Cole, City of Twentynine Palms
Ed Camargo, City of Adelanto
Barbara Riordan, Public Member
Marion Ashley, Riverside County
Jeff Williams, Vice Chair, City of Needles

Board Members Absent:

Robert Lovingood, San Bernardino County
James Ramos, San Bernardino County

CALL TO ORDER

Chair **JIM COX** called the meeting to order at 10:01 a.m. and lead the Pledge of Allegiance.

Chair **JIM COX** called for Rebekah Swanson, Alternate for the City of Hesperia, to be sworn in; Rebekah Swanson was sworn in.

Chair **JIM COX** asked for roll call; roll was called.

Chair **JIM COX** called for items with potential conflict of interest clarification; clarification was given by Special Counsel Piero Dallarda.

Chair **JIM COX** called for PUBLIC COMMENT – Public comment made by Mr. Fred Lowe representing Teamsters Local 1932. Mr. Lowe commented on recent improvements in labor-management relations.

CLOSED SESSION

Upon Motion by Board Member **REBEKAH SWANSON**, Seconded by Board Member **JEFF WILLIAMS** and carried by unanimous roll call vote, the Board adjourned to Closed Session at

10:10 a.m.

Agenda Item 1 - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION Name of Case: Michele Baird vs MDAQMD et. al CIVDS 1612446 San Bernardino County Superior Court (Government Code Section 54956.9).

Agenda Item 2 - CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6). Agency Designated Representatives: Brad Poiriez. Employee Organization: Teamsters Local 1932.

OPEN SESSION - Disclosure of any Reportable Action(s) taken in Closed Session(s); and the Vote and Abstention of Every Member Present in the Closed Session.

The Governing Board reconvened to open session at 10:59 a.m., and Special Counsel **Piero Dallarda** stated that the Board met in Closed Session on Items #1 and #2 with no reportable action on Item #2. Special Counsel Dallarda reported for Item #1 the District received a tort claim dated February 28, 2017 from Ms. Baird's counsel regarding various allegations related to the ongoing litigation. There is an untimely portion of the claim which deals with events that predates August 28, 2016 those portions of the claim are being returned without action. As to the portion of the claim with respect to events that are contained in the claim that allegedly occurred after August 28, 2016 the Governing Board has voted to reject that portion of the claim carried with ten **AYES** votes by Board Members **JOSEPH DECONINCK, MARION ASHLEY, ED CAMARGO, CARMEN HERNANDEZ, BARB STANTON, BARBARA RIORDAN, JIM COX, JOHN COLE, JEFF WILLIAMS and ROBERT LEONE** and one abstention by Board Member **REBEKAH SWANSON**.

CONSENT CALENDAR - The following consent items were acted upon by the Board at one time without discussion, upon motion by Board Member **BARB STANTON**, Seconded by Board Member **JOHN COLE**, and carried by unanimous roll call vote, with eleven **AYES** votes by Board Members **JOSEPH DECONINCK, MARION ASHLEY, REBEKAH SWANSON, ED CAMARGO, CARMEN HERNANDEZ, BARB STANTON, BARBARA RIORDAN, JIM COX, JOHN COLE, JEFF WILLIAMS and ROBERT LEONE** as follows:

Agenda Item 3 – Approve Minutes from Regular Governing Board Meeting of February 27, 2017.

Approved the minutes from the Regular Governing Board meeting of February 27, 2017.

Agenda Item 4 – Amend Governing Board Policy 94-1, Authority of the Air Pollution Control Officer (APCO).

Amended Governing Board Policy 94-1, Authority of the Air Pollution Control Officer (APCO).

Agenda Item 5 – Amend Governing Board Policy 95-1, “Processing and Providing Information Requested by Members of the Governing Board.”

Amended Governing Board Policy 95-1, “Processing and Providing Information Requested by Members of the Governing Board.”

Agenda Item 6 – Approve the staff recommended Investment Selection for the Pension Rate Stabilization Program (PRSP); Adopt the Investment Guidelines Document; and authorize the Executive Director/APCO, or designee, to execute required documents, subject to review by Counsel.

Approved the staff recommended Investment Selection for the Pension Rate Stabilization Program (PRSP); Adopt the Investment Guidelines Document; and authorize the Executive Director/APCO, or designee, to execute required documents, subject to review by Counsel.

Agenda Item 7 – Approve staff recommendation to award the engagement of audit services to Fedak & Brown, LLP, Riverside, for a period up to three fiscal years not to exceed \$85,000; authorize the Executive Director, or designee, to execute engagement agreements.

Approved staff recommendation to award the engagement of audit services to Fedak & Brown, LLP, Riverside, for a period up to three fiscal years not to exceed \$85,000; authorize the Executive Director, or designee, to execute engagement agreements.

Agenda Item 8 – 1. Ratify the “FY 16-17 Application for Carl Moyer Program Funds” and its submission to CARB, 2. Approve the required match funding for the Carl Moyer Memorial Air Quality Standards Attainment Program (the Carl Moyer Program), and 3. Authorize the Executive Director to execute the agreement, approved as to legal form, with CARB which binds the parties to the terms and conditions set forth in the application and the 2011 Carl Moyer Program Guidelines.

1. **Ratified** the “FY 16-17 Application for Carl Moyer Program Funds” and its submission to CARB, 2. **Approved** the required match funding for the Carl Moyer Memorial Air Quality Standards Attainment Program (the Carl Moyer Program), and 3. **Authorized** the Executive Director to execute the agreement, approved as to legal form, with CARB which binds the parties to the terms and conditions set forth in the application and the 2011 Carl Moyer Program Guidelines.

Agenda Item 9 – 1. Approve the selection of proposals recommended by the Mobile Source Emissions Reduction Committee (Committee) which represent projects that will reduce emissions from mobile sources within the MDAQMD; and 2. Award funds as recommended; and 3. Authorize the Executive Director to negotiate time frames and technical project details and execute an agreement, approved as to legal form, with each proponent.

1. **Approved** the selection of proposals recommended by the Mobile Source Emissions Reduction Committee (Committee) which represent projects that will reduce emissions from mobile sources within the MDAQMD; and 2. **Awarded** funds as recommended; and 3. Authorize the Executive Director to negotiate time frames and technical project details and execute an agreement, approved as to legal form, with each proponent

Agenda Item 10 – Authorize surplus of District-owned capital equipment and disposal as indicated; receive and file the Executive Director’s report of surplus and disposal for non-capital items.

Authorized surplus of District-owned capital equipment and disposal as indicated; receive and file the Executive Director’s report of surplus and disposal for non-capital items.

Agenda Item 11 – Receive and File: The Legislative Report for March 8, 2017.

Received and filed the Legislative Report for March 8, 2017.

Agenda Item 12 – Receive and File: The Financial Report for FY 17, the period January 2017 which provides financial information and budget performance concerning the fiscal status of the District.

Received and filed the Financial Report for FY 17, the period January 2017 which provides financial information and budget performance concerning the fiscal status of the District.

Agenda Item 13 – DEFERRED ITEMS:

None

Agenda Item 14 – PUBLIC COMMENT.

None

Agenda Item 15 – Conduct a public hearing to consider the amendment of Rule 1104 – Organic Solvent Degreasing Operations: a. Open public hearing; b. Receive staff report; c. Receive public testimony; d. Close public hearing; e. Make a determination that the California Environmental Quality Act (CEQA) Categorical Exemption applies; f. Waive reading of Resolution; g. Adopt Resolution making appropriate findings, certifying the Notice of Exemption, amending Rule 1104 and directing staff actions.

Chair **JIM COX** opened the public hearing. Staff Member Alan De Salvio presented the staff report. Chair **JIM COX** solicited public comment, being none; Chair **JIM COX** closed the public hearing. Upon Motion by Board Member **BARBARA RIORDAN**, Seconded by Board Member **JEFF WILLIAMS**, and carried with eleven **AYES** votes by Board Members **JOSEPH DECONINCK, MARION ASHLEY, REBEKAH SWANSON, ED CAMARGO, CARMEN HERNANDEZ, BARB STANTON, BARBARA RIORDAN, JIM COX, JOHN COLE, JEFF WILLIAMS and ROBERT LEONE** the Board **adopted** RESOLUTION 17-06, titled, “A RESOLUTION OF THE GOVERNING BOARD OF THE MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT MAKING FINDINGS, CERTIFYING THE NOTICE OF EXEMPTION, AMENDING RULE 1104 – ORGANIC SOLVENT DEGREASING OPERATIONS AND DIRECTING STAFF ACTIONS.”

Agenda Item 16 – Reports:

Executive Director Brad Poiriez:

Mr. Poiriez updated the Board of past events:

- March 2nd – participated in the Association of Air Pollution Control Agencies conference call regarding ozone standards;
- March 7th – attended CAPCOA/CARB/Industry meeting to discuss AB197 Emission Visualization Tool;
- March 13th – participated in the WRAP Board conference call preparing for the next meeting in San Diego, CA;
- March 14th – the District officially notified the Teamster Local 1932 Union that the District would like to start negotiations on a new contract;
- March 15th – attended part of the MEEC Board Meeting;
- March 15th – joined San Bernardino County 1st District Supervisor Lovingood’s Staff, Oak Hills High School Principal, and Hesperia School District Superintendent at a community forum regarding a traffic study and dust.

Mr. Poiriez informed the Board of upcoming events:

- March 30th – 31st – CARB to hold PSD and Title V Permitting training classes on-site;
- April 6th – labor negotiations begin;
- April 8th – District to hold its Lawn & Garden Electric Equipment exchange;
- April 25th – 28th – attending WRAP Board meeting in San Diego, CA;
- May 1st – 4th – attending NACAA Meeting in Washington, DC; meeting with Representatives and others on the hill;

Agenda Item 17 - Board Member Comments and Suggestions for Future Agenda Items.

- Board Member Swanson thanked everyone for a warm welcome.
- Board Member Camargo thanked Staff Member Alan De Salvio for assisting with a resident in Adelanto.
- Board Member Hernandez commented on Chromium 6 in the air and would like to agendaize the subject.
- Board Member Stanton wanted an explanation of the Lawn & Garden Electric Equipment exchange program.
- Board Member Riordan commented that the Lawn & Garden Electric Equipment exchange is a good program.
- Board Member John Cole thanked staff for all their efforts.
- Board Member Jeff Williams commented it was good to be back.

Being no further business, Chair **JIM COX** adjourned the meeting at **11:22 a.m.** to the next Regular Meeting of **April 24, 2017**.

The following page(s) contain the backup material for Agenda Item: [Amend Governing Board Policy 04-02, Annual Evaluation of Executive Director/APCO. Presenter: Jean Bracy](#)

**MINUTES OF THE GOVERNING BOARD
OF THE MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT
VICTORVILLE, CALIFORNIA**

AGENDA ITEM 4

DATE: April 24, 2017

RECOMMENDATION: Amend Governing Board Policy 04-02, “Annual Evaluation of Executive Director/APCO.”

SUMMARY: This item amends existing Governing Board Policy 04-02, “Evaluation Procedures – Annual Evaluation of Executive Director/APCO,” and to “clean up” and update the policy language and format.

CONFLICT OF INTEREST: None

BACKGROUND: In the effort to keep the Board familiar with the policies and practices which have been adopted to direct staff action and to facilitate the conduct of the business of the district these policies will be presented to the Board from time to time with recommendations for amendments if such are needed.

The history of Governing Board Policy 04-02, “Evaluation Procedures – Annual Evaluation of Executive Director/APCO,” and the recommended revisions are further described in the following Exhibit 1. The recommended action will streamline the policy statement to establish an annual performance review of the Executive Director/APCO and delegate to the Personnel Committee the review format and process.

REASON FOR RECOMMENDATION: The Governing Board action is necessary to approve changes to the policies of the Governing Board.

REVIEW BY OTHERS: This item was reviewed by Karen Nowak, District Counsel as to legal form and by Brad Poiriez, Executive Director on or about April 10, 2017.

FINANCIAL DATA: No increase in appropriation is anticipated.

PRESENTER: Jean Bracy, Deputy Director – Administration

**MINUTES OF THE GOVERNING BOARD
OF THE MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT
VICTORVILLE, CALIFORNIA**

AGENDA ITEM 4

PAGE 2

Exhibit 1

Governing Board Policy 04-02 is the Governing Board Policy that directs a periodic performance evaluation of the positions appointed by the Governing Board. At this time there is only one position that is appointed by the Governing Board, the Executive Director/APCO. The employment of that position is further governed by an Employment Agreement.

History

Governing Board Policy 04-02 was first adopted May 24, 2004. At the time the APCO and District Counsel were District employees (without an employment contract) but specifically exempted from the MDAQMD Personnel Policies and Procedures (PPP). The Governing Board directed an ad hoc Personnel Committee to develop procedures to conduct annual performance evaluations. Over time various non substantive revisions were made to address changing conditions. In 2006, an Employment Agreement secured the employment of the Executive Director and administrative revisions were made to adjust the evaluation schedule.

Recommended Revisions

Staff recommends streamlining the policy by removing detailed procedures and vesting the process and format to the purview of the Personnel Committee. It includes key procedural items that set expectations for the process. The Governing Board has established an annual practice of appointing a Personnel Committee for purposes that include conducting an annual Performance Evaluation of the Executive Director/APCO.

A final of the proposed version is included as well as a REDLINED draft which indicates the proposed changes from the current version. The format has been changed to add a signature line for the Executive Director which effectively acknowledges the Board's delegation of the Governing Board Policy. The revision history has been moved to the end of the document.

GOVERNING BOARD POLICY

Mojave Desert Air Quality Management District

Policy No: 04-02
Amended April 24, 2017

James L. Cox, Chair

Brad Poiriez, Executive Director/APCO

SUBJECT: ANNUAL EVALUATION OF EXECUTIVE DIRECTOR/APCO

POLICY:

It is the policy of the Governing Board of the Mojave Desert Air Quality Management District (District) to conduct periodic performance evaluations and to have an orderly procedure by which to conduct the periodic evaluation of the Executive Director/APCO.

AMPLIFICATION OF POLICY:

A. Purpose

The performance of the Executive Director/APCO shall be evaluated by criteria established by the Governing Board addressing the mission and goals of the organization. A performance evaluation will be conducted at least annually. The compensation and benefits package is subject to an Employment Agreement between the MDAQMD and the Executive Director/APCO and a review may be conducted periodically as set forth in the Agreement, or authorized by the Governing Board.

B. Procedures

The evaluation of the Executive Director/APCO shall be initiated annually in a manner as to deliver the results to the Governing Board not later than September 30.

1. Personnel Committee

The Governing Board shall appoint a Personnel Committee of not fewer than three members and not equal to a quorum. The Board Chair will serve as the Committee chair.

2. Procedures

- a. The Governing Board Personnel Committee shall direct Management staff to prepare an evaluation form for review and authorize distribution to survey Board Members. The content and format of the evaluation form and the

scoring method shall be developed and agreed upon by the Personnel Committee and the Executive Director/APCO.

- b. Evaluation forms completed by Board Members, including comments, must be returned to the Chair, or designee, by the designated due date.
- c. The Personnel Committee will meet and review the survey results and compiled information and complete the performance evaluation.
- d. The Personnel Committee will meet with the Executive Director to review the results of the survey and conduct the performance evaluation.
- e. The Personnel Committee will review compensation and benefits according to the terms of the Employment Agreement.
- f. The Personnel Committee will present the results of the survey and the performance evaluation to the full Governing Board in a Closed Session.

Revision History:

Adopted: May 24, 2004
Amended: January 24, 2005
January 28, 2008
January 28, 2013

Last Review: January 26, 2015

GOVERNING BOARD POLICY

Mojave Desert Air Quality Management District

Policy No: 04-02
Amended April 24, 2017

Policy No: 04-02
Effective Date: May 24, 2004

Adopted: May 24, 2004
Amended: January 24, 2005
January 28, 2008
January 28, 2013

Barbara RiordanJames L. Cox, Chair

/s/
Last Review: January 26, 2015

Brad Poiriez, Executive Director/APCO

**SUBJECT: EVALUATION PROCEDURES—ANNUAL EVALUATION OF
EXECUTIVE MANAGEMENT STAFFDIRECTOR/APCO**

POLICY:

It is the policy of the Governing Board of the Mojave Desert Air Quality Management District (District) to conduct periodic performance evaluations and to have an orderly procedure by which to conduct the periodic evaluations of the Executive Management Director/APCO as listed in Group E of the District's Exempt Compensation Plan.

AMPLIFICATION OF POLICY:

A. Purpose

The performance expectations of the Executive Management Director/APCO shall be reviewed evaluated by criteria established by the Governing Board for adjustments to the addressing the mission and goals of the organization. A performance evaluation of the performance will be conducted at least annually. A review of the The compensation and benefits package of the Executive Management is subject to an eEmployment Agreement contract between the MDAQMD and the Executive Director/APCO and a review will may be conducted periodically conducted by the members of the Governing Board either annually, or as set forth in the contract Agreement, or authorized by the Governing Board.

B. Procedures

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The evaluation of the Executive ~~Management Director/APCO~~ shall be initiated annually in a manner as to deliver the results to the Governing Board ~~during the final quarter of the calendar year~~ not later than September 30.

1. ~~4.~~ Personnel Committee

The Governing Board shall appoint a Personnel Committee of not fewer than three members and not equal to a quorum.; ~~and the~~ The Board Chair will serve as the Committee chair. ~~The members of the Personnel Committee shall be compensated for attendance at meetings that are held on days when the Governing Board does not meet (see Governing Board Policy 06-01).~~

2. Staff Actions

- a. ~~The Executive Management Evaluation Package will be prepared by the Director of Administrative Services, in consultation with each executive to be reviewed and will be distributed to the Personnel Committee. The Evaluation Package shall consist of:~~

2. Procedures

- a. The Governing Board Personnel Committee shall direct Management staff to prepare an evaluation form for review and authorize distribution to survey Board Members. The content and format of the evaluation form and the scoring method shall be developed and agreed upon by the Personnel Committee and the Executive Director/APCO.
- i. ~~An Evaluation Rating Sheet~~
- ii. ~~An Evaluation Rating Summary (compiled by the chairperson, or confidential designee, which displays the numeric and/or graphic results of the Evaluation Rating Forms);~~
- iii. ~~The employee's current compensation package;~~
- iv. ~~Executive Management's Salary and Compensation History;~~
- v. ~~The employee's employment contract, if applicable~~
- vi. ~~Annual Compensation Survey (if required by contract)~~
- b. ~~An Evaluation Rating Form for each applicable position will be prepared by the Director of Administrative Services under the direction of the Board Chair. The Evaluation Rating Form will be provided to each Governing Board member in a manner that allows for anonymity.~~
- b. Evaluation forms completed by Board Members, evaluation forms including comments, must be returned to the Chair, or designee, in the amount of time by the designated due date.
- ~~Self-addressed stamped envelopes will be provided, if needed.~~
- e. ~~Evaluation rating forms may be assigned random number references to assist the Chairperson in promoting participation by members of the Governing Board while allowing for anonymity.~~
3. ~~Personnel Committee Actions~~

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- c. The Personnel Committee will meet ~~and review the survey results and~~ compiled ~~the information received,~~ and complete the performance evaluation, ~~incorporating any submitted comments.~~
- ~~a.~~
- d. The Personnel Committee will meet with the Executive Management ~~Executive Director employee~~ to review the results of the survey and conduct the performance evaluation.
- ~~b-e.~~ The Personnel Committee will review compensation and benefits according to the terms of the Employment Agreement. ~~In the event compensation is not being considered, the Personnel Committee may complete its task by reporting to the Governing Board that the Evaluation process has been conducted and completed.~~
- e. The Personnel Committee will prepare recommendations for compensation and benefit awards to be presented to the Governing Board for consideration. ~~Actions regarding compensation adjustments will be implemented in the pay period following the Governing Board meeting.~~
- ~~d-f.~~ The Personnel Committee ~~may will meet with the~~ present the results of the survey and the performance evaluation to the full Governing Board in a Closed Session, ~~to report findings and present recommendations concerning the annual performance evaluations. (note the Brown Act requires that discussions of compensation be held in Open Session).~~

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Revision History:

Adopted: May 24, 2004

Amended: January 24, 2005

January 28, 2008

January 28, 2013

Last Review: January 26, 2015

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**MINUTES OF THE GOVERNING BOARD
OF THE MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT
VICTORVILLE, CALIFORNIA**

AGENDA ITEM 5

DATE: April 24, 2017

RECOMMENDATION: Reappoint Dave Corder, to the Hearing Board of the Mojave Desert Air Quality Management District (MDAQMD) as the public member for a 3 year term to expire April 24, 2020.

SUMMARY: This action reappoints the current public member to continue to serve on the MDAQMD Hearing Board.

CONFLICT OF INTEREST: Governing Board Members, and Dave Corder.

BACKGROUND: California Law requires the appointment of a five member Hearing Board. The five members are an attorney, a professional engineer, a medical professional, and two members of the general public. (Health & Safety Code §40801). Members of the Hearing Board are appointed for three year terms and the terms are staggered with two members expiring in one year, two members expiring in the second year and one member expiring in the third year (Health & Safety Code §40804).

Mr. Corder has expressed his desire to continue serving on the Hearing Board in his current capacity. Mr. Corder's current three year appointment is due to expire on July 1, 2017.

It is the intent of the Governing Board that the Hearing Board members shall, upon expiration of their terms, continue to serve in their previously appointed positions in an interim capacity until such time as the Governing Board makes a subsequent appointment to the applicable positions.

REASON FOR RECOMMENDATION: The Governing Board action is required to appoint Hearing Board members to implement the requirements of Health & Safety Code §§40800, 40801 and 40804.

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REVIEW BY OTHERS: This item was reviewed by Karen K. Nowak, District Counsel on or before April 10, 2017.

FINANCIAL DATA: No increase in appropriation is anticipated.

PRESENTER: Brad Poiriez, Executive Director/APCO



Environmental Systems

QED-Corporate: P.O. Box 3726 Ann Arbor, MI 48106 Phone 1-800-624-2026 Fax 1-734-995-1170

March 20, 2017

MDAQMD Governing Board
Deanna Hernandez, Executive Office Manager
14306 Park Avenue
Victorville, CA 92393

RE: Request for Re-Appointment as Public Member –
MDAQMD – Hearing Board Position

Dear Ms. Hernandez:

It has come to my attention that my current 3-year appointment, as a MDAQMD-Hearing Board -- Public Member Position, is set to expire this July. I'd like to express my sincere desire to be considered for re-appointment to the position. The Governing Board's consideration on my behalf would be greatly appreciated.

Respectfully,

Dave Corder
Regional Sales Manager (SoCal/SoNV/AZ)
QED Environmental Systems, Inc.
12845 Redwing Road
Apple Valley, CA 92308-79027
Office: (760) 247-6305
Cell: (760) 247-3240
Dcorder@QEDENV.com

The following page(s) contain the backup material for Agenda Item: [Set date of June 12, 2017 to conduct a public hearing to consider the amendment of Rule 301 Permit Fees and approval of California Environmental Quality Act \(CEQA\) documentation. The June 12, 2017 public hearing will be opened and continued to June 26, 2](#)

**MINUTES OF THE GOVERNING BOARD
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VICTORVILLE, CALIFORNIA**

AGENDA ITEM 6

DATE: April 24, 2017

RECOMMENDATION: Set date of June 12, 2017 to conduct a public hearing to consider the amendment of Rule 301 – *Permit Fees* and approval of California Environmental Quality Act (CEQA) documentation. The June 12, 2017 public hearing will be opened and continued to June 26, 2017.

SUMMARY: Adjustments in fees are required from time to time to ensure that the costs are aligned with the reasonable regulatory costs of the programs they support. Rule 301, is proposed for amendment to adjust fees by two percent (2%) to recover the rising costs associated with issuing licenses and permits, performing investigations, inspections, and audits, and the administrative enforcement and adjudication thereof.

CONFLICT OF INTEREST: None.

BACKGROUND: On 07/01/93 the Mojave Desert Air Quality Management District (MDAQMD) was created by statute and assumed all the air pollution control responsibilities the San Bernardino County Air Pollution Control District (SBCAPCD). The rules in effect at that time remained in effect until such time as the Governing Board of the MDAQMD officially changed them. The MDAQMD Governing Board, at its very first meeting, reaffirmed all the rules and regulations of the SBCAPCD. Some of the rules contained in Regulation III – *Fees* have been subsequently amended, consolidated and rescinded. Rule 301 – *Permit Fees* was last amended 06/27/16 to adjust fees three percent (3%), and make minor changes for clarification and consistency.

Adjustments in fees are required from time to time to ensure that the costs are aligned with the reasonable regulatory costs of the programs they support. Rule 301 is proposed to adjust fees by two percent (2%).

Public hearings on the budget, the proposed fee adjustment to Rule 301 will be held on 06/12/2017 and will be continued to 06/26/2017 to receive comment from members of industry and the general public. Proposed Rule 301 will be made available for public comments on or before May 12, 2017, and the appropriate notice will be published on or about May 12, 2017 in compliance with the 30-day notice and comment period requirement.

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To allow time to implement the proposed fee changes in the computerized billing system, the amendment of Rule 301 is proposed to be effective on 01/01/2017.

A Notice of Exemption, Categorical Exemption (Class8; 14 Cal. Code Reg. §15308) will be prepared by the MDAQMD for the amendment of Regulation III pursuant to the requirements of CEQA.

REASON FOR RECOMMENDATION: Health & Safety Code §§40702 and 40703 require the Governing Board to hold a public hearing before adopting rules and regulation. Also, 42 U.S.C. §7410(l) (FCAA §110(l)) requires that all State Implementation Plan (SIP) revisions be adopted after public notice and hearing.

REVIEW BY OTHERS: This item was reviewed by Karen Nowak, District Counsel as to legal form and by Alan De Salvio, Deputy Director – Mojave Desert Operations on or about 04/11/2017.

FINANCIAL DATA: No increase in appropriation is anticipated.

PRESENTER: Alan De Salvio, Deputy Director – Mojave Desert Operations

The following page(s) contain the backup material for Agenda Item: [Set date of June 12, 2017 to conduct a public hearing to consider the amendment of Rule 102 Definition of Terms and approval of California Environmental Quality Act \(CEQA\) documentation.](#)
[Presenter: Alan De Salvio](#)

**MINUTES OF THE GOVERNING BOARD
OF THE MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT
VICTORVILLE, CALIFORNIA**

AGENDA ITEM 7

DATE: April 24, 2017

RECOMMENDATION: Set date of June 12, 2017 to conduct a public hearing to consider the amendment of Rule 102 – *Definition of Terms* and approval of California Environmental Quality Act (CEQA) documentation.

SUMMARY: Rule 102 is proposed for amendment to provide consistency and clarity of commonly used definitions contained in the District rulebook.

CONFLICT OF INTEREST: None

BACKGROUND: The Mojave Desert Air Quality Management District (MDAQMD) has the authority pursuant to California Health and Safety Code (H&S Code) §40702 to adopt, amend or repeal rules and regulations. The MDAQMD is proposing to amend Rule 102 – *Definition of Terms* for inclusion in the current rulebook.

Many terms are defined in multiple district rules. Staff has determined that the rulebook will be more clear and consistent by shifting common definitions to Rule 102 and updating many definitions for consistency. This rule proposed for amendment at this time due to related changes in Rules 1158 – *Electric Generating Facilities* and 1162 – *Polyester Resin Operations*.

A Notice of Exemption, Categorical Exemption (Class8; 14 Cal. Code Reg. §15308) will be prepared by the MDAQMD for the amendment of Rule 1104 pursuant to the requirements of CEQA.

REASON FOR RECOMMENDATION: Health & Safety Code §§40702 and 40703 require the Governing Board to hold a public hearing before adopting rules and regulation. Also, 42 U.S.C. §7410(l) (FCAA §110(l)) requires that all SIP revisions be adopted after public notice and hearing.

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REVIEW BY OTHERS: This item was reviewed by Karen Nowak, District Counsel as to legal form and by Alan De Salvio, Deputy Director – Mojave Desert Operations on or before April 11, 2017.

FINANCIAL DATA: No increase in appropriation is anticipated.

PRESENTER: Alan De Salvio, Deputy Director – Mojave Desert Operations

The following page(s) contain the backup material for Agenda Item: [Set date of June 12, 2017 to conduct a public hearing to consider the amendment of Rule 1158 Electric Generating Facilities and approval of California Environmental Quality Act \(CEQA\) documentation. Presenter: Alan De Salvio](#)

**MINUTES OF THE GOVERNING BOARD
OF THE MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT
VICTORVILLE, CALIFORNIA**

AGENDA ITEM 8

DATE: April 24, 2017

RECOMMENDATION: Set date of June 12, 2017 to conduct a public hearing to consider the amendment of Rule 1158 – *Electric Generating Facilities* and approval of California Environmental Quality Act (CEQA) documentation.

SUMMARY: Rule 1158 is proposed for amendment to satisfy 42 U.S.C. §§7511a (Federal Clean Air Act (FCAA) §182) which requires that ozone non-attainment areas implement Reasonably Available Control Technology (RACT) for sources that are subject to Control Technique Guidelines (CTGs) and for major sources of ozone precursors.

CONFLICT OF INTEREST: None

BACKGROUND: The Mojave Desert Air Quality Management District (MDAQMD) has the authority pursuant to California Health and Safety Code (H&S Code) §40702 to adopt, amend or repeal rules and regulations. The MDAQMD is proposing to amend Rule 1158 – *Electric Generating Facilities* for inclusion in the current rulebook.

The Federal Clean Air Act (FCAA) requires areas designated non-attainment and classified moderate and above to implement Reasonably Available Control Technology (RACT) for sources subject to Control Techniques Guidelines (CTG) documents issued by United States Environmental Protection Agency (USEPA) and for “major sources” of volatile organic compounds (VOCs) and oxides of nitrogen (NO_x) which are ozone precursors. The District adopted the *8-Hour Reasonably Available Control Technology – State Implementation Analysis (RACT SIP Analysis)* in February, 2015 for the 2008 75 ppb ozone National Ambient Air Quality Standards (NAAQS). This document committed to amending current RACT for electric power generating facilities. The Mojave Desert Air Quality Management District (MDAQMD) has an electric power generating facilities rule which was approved as RACT into the State Implementation Plan (SIP) in 1999 (64 FR 38832, 07/20/1999). While there is no CTG for this source category, EPA has published an Alternative Control Techniques (ACT) document titled, “NO_x Emissions from Stationary Gas Turbines” (EPA 453/R-93-007, January 1993) which describes available control techniques and their estimated costs. This ACT and other state and local rules for this category were used to help evaluate the RACT

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requirements of CAA §182(b)(2) and §182(f).

The proposed amendments to Rule 1158 address the 2015 *RACT SIP Analysis* commitment. The proposed amendments update definitions, NO_x emission limits, exemptions, monitoring and records, and compliance schedule. The amendments are based on Imperial County Air Pollution Control District (ICAPCD) Rule 400.2 – Boilers, Process Heaters and Steam Generators, as adopted February 23, 2010 and Ventura County Air Pollution Control District (VCAPCD) Rule 74.23 – Stationary Gas Turbines, as adopted January 8, 2002. ICAPCD Rule 400.2 was approved into the SIP as RACT at 78 FR 896, January 7, 2013 and VCAPCD Rule 74.23 was approved into the SIP as RACT at 68 FR 33018, June 3, 2003. Therefore, MDAQMD staff recommends amending Rule 1158 – *Electric Power Generating Facilities*.

A Notice of Exemption, Categorical Exemption (Class8; 14 Cal. Code Reg. §15308) will be prepared by the MDAQMD for the amendment of Rule 1104 pursuant to the requirements of CEQA.

REASON FOR RECOMMENDATION: Health & Safety Code §§40702 and 40703 require the Governing Board to hold a public hearing before adopting rules and regulation. Also, 42 U.S.C. §7410(l) (FCAA §110(l)) requires that all SIP revisions be adopted after public notice and hearing.

REVIEW BY OTHERS: This item was reviewed by Karen Nowak, District Counsel as to legal form and by Alan De Salvio, Deputy Director – Mojave Desert Operations on or before April 11, 2017.

FINANCIAL DATA: No increase in appropriation is anticipated.

PRESENTER: Alan De Salvio, Deputy Director – Mojave Desert Operations

The following page(s) contain the backup material for Agenda Item: [Set date of June 12, 2017 to conduct a public hearing to consider the amendment of Rule 1162 Polyester Resin Operations and approval of California Environmental Quality Act \(CEQA\) documentation.](#)
[Presenter: Alan De Salvio](#)

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AGENDA ITEM 9

DATE: April 24, 2017

RECOMMENDATION: Set date of June 12, 2017 to conduct a public hearing to consider the amendment of Rule 1162 – *Polyester Resin Operations* and approval of California Environmental Quality Act (CEQA) documentation.

SUMMARY: Rule 1162 is proposed for amendment to satisfy 42 U.S.C. §§7511a (Federal Clean Air Act (FCAA) §182) which requires that ozone non-attainment areas implement Reasonably Available Control Technology (RACT) for sources that are subject to Control Technique Guidelines (CTGs) and for major sources of ozone precursors.

CONFLICT OF INTEREST: None

BACKGROUND: The Mojave Desert Air Quality Management District (MDAQMD) has the authority pursuant to California Health and Safety Code (H&S Code) §40702 to adopt, amend or repeal rules and regulations. The MDAQMD is proposing to amend Rule 1162 – *Polyester Resin Operations* for inclusion in the current rulebook.

The FCAA requires areas designated non-attainment and classified moderate and above to implement RACT for sources subject to CTG documents issued by United States Environmental Protection Agency (USEPA) and for “major sources” of Volatile Organic Compounds (VOCs) and oxides of nitrogen (NO_x) which are ozone precursors. The District adopted the *8-Hour Reasonably Available Control Technology – State Implementation Analysis (RACT SIP Analysis)* in February, 2015 for the 2008 75 ppb ozone National Ambient Air Quality Standards (NAAQS). This document committed to amending current RACT for polyester resin operations. The MDAQMD has a polyester resin rule which was approved as RACT into the State Implementation Plan (SIP) in 2008 (73 FR 70883, 11/24/2008). This rule is subject to the CTG entitled *Control Techniques Guidelines for Fiberglass Boat Manufacturing* (EPA-453/R-08-004 September 2008). Rule 1162 is also subject to Subpart VVVV – *National Emission Standards for Hazardous Air Pollutants for Boat Manufacturing* (66 FR 44232, August 22, 2001) and Subpart WWW – *National Emissions Standards for Hazardous Air Pollutants: Reinforced Plastic Composites Production* (68 FR 19402, April 21, 2003).

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The MDAQMD is proposing to update Rule 1162 – *Polyester Resin Operations* to reflect current federal RACT as determined by CTG requirements, NESHAP requirements, and the rules of other California nonattainment agencies.

The proposed amendments to Rule 1162 address the *RACT SIP Analysis* commitment. The proposed amendments update rule applicability, definitions, requirements, compliant material requirements, control equipment requirements, cleaning equipment requirements, work practices, exemptions, and test methods. The amendments are based on the CTG, NESHAPS, and San Joaquin Valley Unified Air Pollution Control District (SJVUAPCD) Rule 4684 – *Polyester Resin Operations* as amended August 18, 2011. SJVUAPCD Rule 4684 was approved into the SIP as RACT at 77 FR 5709, February 6, 2012. Therefore, MDAQMD staff recommends amending Rule 1162 – *Polyester Resin Operations*.

A Notice of Exemption, Categorical Exemption (Class8; 14 Cal. Code Reg. §15308) will be prepared by the MDAQMD for the amendment of Rule 1104 pursuant to the requirements of CEQA.

REASON FOR RECOMMENDATION: Health & Safety Code §§40702 and 40703 require the Governing Board to hold a public hearing before adopting rules and regulation. Also, 42 U.S.C. §7410(l) (FCAA §110(l)) requires that all SIP revisions be adopted after public notice and hearing.

REVIEW BY OTHERS: This item was reviewed by Karen Nowak, District Counsel as to legal form and by Alan De Salvio, Deputy Director – Mojave Desert Operations on or before April 11, 2017.

FINANCIAL DATA: No increase in appropriation is anticipated.

PRESENTER: Alan De Salvio, Deputy Director – Mojave Desert Operations

The following page(s) contain the backup material for Agenda Item: [Receive and File: The Legislative Report for April 6, 2017. Presenter: Brad Poiriez](#)

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AGENDA ITEM 10

DATE: April 24, 2017

RECOMMENDATION: Receive and file.

SUMMARY: The Legislative Report for April 6, 2017.

CONFLICT OF INTEREST: None

BACKGROUND: Legislative actions proposed at the federal and state level have the potential to impact the implementation of the District's mission as well as its regulatory operations. An important tool for the District is to monitor the flood of information and its status which allows for comment early in the process and preparation for any changes that may be required. The District contracts this service and receives periodic reports with summaries to help sort the pertinent legislative proposals.

Strategic Partners Group (SPG) is the consultant to the District providing this service to monitor certain legislative and regulatory activities at the state and local level. Staff will direct questions to SPG regarding any of the material presented or follow up on any matter of interest to the Governing Board. Following the table of proposed legislation are several Articles of Interest of relevant information.

REASON FOR RECOMMENDATION: This item is provided for information subject to direction of the Governing Board.

REVIEW BY OTHERS: This item was reviewed by Karen Nowak, District Counsel, as to legal form and by Brad Poiriez, Executive Director, on or about April 10, 2017.

FINANCIAL DATA: No increase in appropriation is anticipated.

PRESENTER: Brad Poiriez, Executive Director



Government Affairs and Communication Consulting

FRANK T. SHEETS, III
LAURIE HANSEN SHEETS

MEMORANDUM

TO: Brad Poiriez

FROM: Frank Sheets
Laurie Hansen

DATE: April 9, 2017

RE: Bill Tracking Report

Following is Strategic Partners Group latest legislative report for your consideration.

Of note, we are now tracking 61 bills for the district versus 57 in our last report. As a result of our latest review of bills meeting the Districts' search criteria, we have added 7 new bills (AB 476, 582, 655, 797, 1433, SB 563, and SB 584) and removed 3 (AB 1676, SB 193 and SB 224).

AB 476 deals with vehicular air pollution while AB 582 calls for additional surveillance of new vehicles in order to verify they meet state emissions standards. AB 655 is interesting in that it calls for electricity generated through transformation of MSW to be included as "renewable energy" in the California Renewable Portfolio standard. Such a generating facility must meet certain conditions to qualify, however the argument that this generation is renewable is not new and has failed in the past. It will be interesting to see how far this proposal goes. AB 797 calls for financial support for the installation of solar hot water heaters in low-income communities, while AB 1433 asks for GHG Reduction Fund monies to protect natural habitat impacted by climate change.

On the Senate side, SB 563 deals with a proposed statewide residential smoke emissions program from wood burning fireplaces and stoves and De Leon's SB 584 proposes to reduce the deadline to achieve 50% RPS from 2030 to 2025. The bill also ambitiously proposes the state achieve the goal of 100% of California's consumed power be generated by renewables.

The three bills we have removed have been significantly amended and no longer deal with Air Quality issues.

Bills with the most visibility since our last report are the two transportation infrastructure repair tax bills - SB 1 and AB 1. SB 1, referred to as the gas tax, went to the Senate floor Friday for a final vote with the encouragement of the Governor. Prior to the final Senate vote, the bill had already passed out of the Senate, subsequently was heard and passed through the Assembly Transportation Committee, was heard and passed out to the Assembly floor, and back to the Senate for adoption. We understand that considerable amount of bartering transpired throughout the day to assure a 2/3 majority of the Senate votes were available to pass this legislation. We have included an article specific to what transpired in order to achieve the passage of this bill.

Regarding other bills of interest; AB 18, Garcia's bond measure has passed out of the Assembly without amendments, while AB 302 dealing with the Carl Moyer program has been amended however no date has yet been set for hearing in Assembly Transportation. AB 398, calling for joint hearings of both CARB and local air districts has moved from its Policy Committee to Fiscal

As usual, we have included several articles for your reading pleasure. As this report was being prepared there was a news flash that the State Appeals Court decided in favor (2-1) of the state in regard to challenges that the Cap and Trade program represents an illegal tax. This decision will be making several legislators as well as the Governor very pleased, while confounding others. It is our understanding the Chamber of Commerce, who filed the lawsuit against the state, may be considering challenging the decision in a higher court. They feel someone encouraged by the fact that the court decision was not unanimous.

As always, should there be questions or concerns, please feel free to contact us.

MDAQMD 2017 bills

Thursday, April 06, 2017

AB 1

([Frazier D](#)) *Transportation funding.*

Introduced: 12/5/2016

Status: 1/19/2017-Referred to Coms. on TRANS. and NAT. RES.

Location: 1/19/2017-A. TRANS.

<i>Desk</i>	<i>Policy</i>	<i>Fiscal</i>	<i>Floor</i>	<i>Desk</i>	<i>Policy</i>	<i>Fiscal</i>	<i>Floor</i>	<i>Conf. Conc.</i>	<i>Enrolled</i>	<i>Vetoed</i>	<i>Chaptered</i>
<i>1st House</i>				<i>2nd House</i>							

Summary: Would create the Road Maintenance and Rehabilitation Program to address deferred maintenance on the state highway system and the local street and road system. The bill would require the California Transportation Commission to adopt performance criteria, consistent with a specified asset management plan, to ensure efficient use of certain funds available for the program. The bill would provide for the deposit of various funds for the program in the Road Maintenance and Rehabilitation Account, which the bill would create in the State Transportation Fund.

History:

2016

Read first time. To print.

From printer. May be heard in committee January 5.

2017

Referred to Coms. on TRANS. and NAT. RES.

Notes 1: This transportation infrastructure rehabilitation bill is designed specifically to fund the repair existing state roads. This bill is primarily funded through increase fuel taxes and increased vehicle registration fees.

AB 18

([Garcia, Eduardo D](#)) *California Clean Water, Climate, Coastal Protection, and Outdoor Access For All Act of 2018.*

Current Analysis: 03/09/2017 [Assembly Floor Analysis \(text 2/23/2017\)](#)

Introduced: 12/5/2016

Last Amend: 2/23/2017

Status: 3/20/2017-Read third time. Urgency clause adopted. Passed. Ordered to the Senate. In Senate. Read first time. To Com. on RLS. for assignment.

Location: 3/20/2017-S. DESK

<i>Desk</i>	<i>Policy</i>	<i>Fiscal</i>	<i>Floor</i>	<i>Desk</i>	<i>Policy</i>	<i>Fiscal</i>	<i>Floor</i>	<i>Conf. Conc.</i>	<i>Enrolled</i>	<i>Vetoed</i>	<i>Chaptered</i>
<i>1st House</i>				<i>2nd House</i>							

Summary: Would enact the California Clean Water, Climate, Coastal Protection, and Outdoor Access For All Act of 2018, which, if approved by the voters, would authorize the issuance of bonds in an amount of \$3,105,000,000 pursuant to the State General Obligation Bond Law to finance a clean water, climate, coastal protection, and outdoor access for all program. This bill contains other related provisions.

History:

2016

Read first time. To print.

From printer. May be heard in committee January 5.

2017

Referred to Com. on W.,P., & W.

From committee: Do pass and re-refer to Com. on APPR. (Ayes 10. Noes 5.) (February 7). Re-referred to Com. on APPR.

From committee: Amend, and do pass as amended. (Ayes 12. Noes 5.) (February 22).

Read second time and amended. Ordered returned to second reading.

Read second time. Ordered to third reading.

Coauthors revised.

Read third time. Urgency clause adopted. Passed. Ordered to the Senate. In Senate. Read first time. To Com. on RLS. for assignment.

Vote Events:

03/20/2017 ASM. ASSEMBLY (Y:54 N:19 A:7) (P)

02/22/2017 ASM. APPR. (Y:12 N:5 A:0) (P)

02/07/2017 ASM. W.,P. & W. (Y:10 N:5 A:0) (P)

Notes 1: This bond measure has been amended increasing the proposed amount to \$3.1 billion and has moved from the Assembly to the Senate. The list of entities where moneys will be distributed is extensive.

[AB 20](#)

([Kalra D](#)) Public employee retirement systems: divestment: Dakota Access Pipeline.

Introduced: 12/5/2016

Status: 1/19/2017-Referred to Com. on P.E., R., & S.S.

Location: 1/19/2017-A. P.E.,R. & S.S.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar: 4/19/2017 9 a.m. - State Capitol, Room 444 ASSEMBLY PUBLIC EMPLOYEES, RETIREMENT AND SOCIAL SECURITY, RODRIGUEZ, Chair

Summary: Would prohibit the boards of administration of the Public Employees' Retirement System and the State Teachers' Retirement System, on and after January 1, 2018, from making additional investments or renewing investments in a company constructing, or funding the construction of, the Dakota Access Pipeline, as defined. This bill would require the boards, on or before July 1, 2018, to liquidate their investments in a company constructing, or funding the construction of, the Dakota Access Pipeline.

History:

2016

Read first time. To print.

From printer. May be heard in committee January 5.

2017

Referred to Com. on P.E., R., & S.S.

Notes 1: Apparently it is not uncommon for the State legislature to attempt to direct where retirement funds can be invested. We understand that administrators of the retirement fund have objected to the restriction proposed in the bill.

[AB 33](#)

([Quirk D](#)) Transportation electrification: electric vehicle service equipment: electrical corporations: rates.

Introduced: 12/5/2016

Last Amend: 3/23/2017

Status: 3/27/2017-Re-referred to Com. on C. & C.

Location: 3/23/2017-A. C. & C.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would require the PUC, by March 30, 2018, in consultation with the State Air Resources Board and the Energy Commission, to authorize electrical corporations to offer programs and investments in electric vehicle service equipment, as defined, installed in residential garages of customers who purchase a used electric vehicle. The bill

would require that the programs and investments be designed to accelerate widespread transportation electrification, achieve ratepayer benefits, reduce dependence on petroleum, meet air quality standards, and reduce emissions of greenhouse gases.

History:

2016

Read first time. To print.

From printer. May be heard in committee January 5.

2017

Referred to Com. on C. & C. From committee chair, with author's amendments: Amend, and re-refer to Com. on C. & C. Read second time and amended.

Re-referred to Com. on C. & C.

Notes 1: *Quirk's bill has been amended eliminating fees and financial incentives relative to higher emitting vehicles vs. low emissions vehicles and calls for programs to assist in the installation of infrastructure to assist in promoting low emission vehicles.*

AB 35

(Quirk D) *Residential and nonresidential buildings: energy savings program.*

Introduced: 12/5/2016

Last Amend: 3/23/2017

Status: 3/27/2017-Re-referred to Com. on NAT. RES.

Location: 3/23/2017-A. NAT. RES.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: *Current law requires the State Energy Resources Conservation and Development Commission to establish a regulatory proceeding to develop and implement a comprehensive program to achieve greater energy savings in California's existing residential and nonresidential building stock. Current law requires the commission to periodically update the program criteria and adopt any revision that, in its judgment, is necessary to improve or refine program requirements after receiving public input and, at least once every 3 years, to adopt an update to the program in furtherance of achieving a cumulative doubling of statewide energy efficiency savings in electricity and natural gas final end uses of retail customers by January 1, 2030. This bill would require the commission to adopt an update to the program at least once every 5 years instead of every 3 years.*

History:

2016

Read first time. To print.

From printer. May be heard in committee January 5.

2017

Referred to Com. on NAT. RES. From committee chair, with author's amendments: Amend, and re-refer to Com. on NAT. RES. Read second time and amended.

Re-referred to Com. on NAT. RES.

AB 36

(Nazarian D) *Eligible fuel cell electrical generating facilities: energy metering.*

Introduced: 12/5/2016

Last Amend: 4/4/2017

Status: 4/5/2017-Re-referred to Com. on U. & E.

Location: 3/20/2017-A. U. & E.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar: *4/19/2017 1:30 p.m. - State Capitol, Room 437 ASSEMBLY UTILITIES AND ENERGY, HOLDEN, Chair*

Summary: *Current law requires that an electrical corporation file with the Public Utilities Commission a standard tariff providing for this energy metering for eligible fuel cell customer-generators and make the tariff available to eligible fuel cell customer-generators upon request, on a first-come-first-served basis, until the total cumulative rated*

generating capacity of the eligible fuel cell electrical generating facilities receiving service pursuant to the tariff reaches a specified level. This bill would change “eligible fuel cell electrical generating facility” to “eligible electrical generating facility” and would additionally make eligible a facility that electromechanically converts fuel to electricity for purposes of the above-described energy metering program.

History:

2016

Read first time. To print.

From printer. May be heard in committee January 5.

2017

Referred to Com. on U. & E.

From committee chair, with author's amendments: Amend, and re-refer to Com. on U. & E. Read second time and amended.

Re-referred to Com. on U. & E.

From committee chair, with author's amendments: Amend, and re-refer to Com. on U. & E. Read second time and amended.

Re-referred to Com. on U. & E.

AB 79

(**Levine D**) Electrical generation: hourly greenhouse gas emissions: electricity from unspecified sources.

Current Analysis: 03/30/2017 [Assembly Natural Resources \(text 3/21/2017\)](#)

Introduced: 1/4/2017

Last Amend: 3/21/2017

Status: 4/3/2017-Action From NAT. RES.: Do pass as amended.To APPR..

Location: 4/3/2017-A. APPR.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would require, by January 1, 2020, the State Air Resources Board, in consultation with the Independent System Operator, to adopt a methodology for the calculation of hourly emissions of greenhouse gases associated with electricity from unspecified sources, a term defined in existing law but revised for this purpose, purchased within California balancing authority areas, as defined, and associated with electricity from unspecified sources imported into California from other subregions of the Western Electricity Coordinating Council.

History:

2017

Read first time. To print.

From printer. May be heard in committee February 4.

Referred to Com. on U. & E.

From committee chair, with author's amendments: Amend, and re-refer to Com. on U. & E. Read second time and amended.

Re-referred to Com. on U. & E.

From committee: Amend, and do pass as amended and re-refer to Com. on NAT. RES. (Ayes 10. Noes 5.) (March 15).

Read second time and amended.

Vote Events:

04/03/2017 ASM. NAT. RES. (Y:7 N:3 A:0) (P)

03/15/2017 ASM. U. & C. (Y:10 N:5 A:0) (P)

Notes 1: Levine's bill has been significantly amended eliminating future restrictions on the procurement of electricity from coal fired generation and now simply calls for the recording of emissions from electrical generation from sources outside of California that is delivered to the California grid.

AB 151

(**Burke D**) California Global Warming Solutions Act of 2006: market-based compliance mechanisms: scoping plan: report.

Introduced: 1/11/2017

Last Amend: 3/2/2017

Status: 3/6/2017-Re-referred to Com. on NAT. RES.

Location: 3/2/2017-A. NAT. RES.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would require the State Air Resources Board to report to the appropriate policy and fiscal committees of the Legislature to receive input, guidance, and assistance before adopting guidelines and regulations implementing the scoping plan and a regulation ensuring statewide greenhouse gas emissions are reduced to at least 40% below the

1990 level by 2030. This bill contains other related provisions and other existing laws.

History:

2017

Read first time. To print.

From printer. May be heard in committee February 11.

Referred to Com. on NAT. RES. From committee chair, with author's amendments: Amend, and re-refer to Com. on NAT. RES. Read second time and amended.

Re-referred to Com. on NAT. RES.

Notes 1: The bill proposes to legislate the continuance of the Cap and Trade program. Passing legislation on this matter is a priority for the Governor considering the ongoing legal challenges to the Cap and Trade program with claims it represents an illegal tax. Considering the Governors position, perhaps the legal challenge has merit. The bill also establishes The Compliance Offsets Protocol Task Force tasked whose role is to develop new GHG Offset protocols potentially increasing allowances thru available thru offsets.

We will be curious whether those challenging the legality of the cap and trade program from a tax perspective will claim that the passage of legislation dealing with the continuance of the Cap and Trade program will require a 2/3 majority in order to pass. Considering the supermajority of both houses, even if a 2/3 majority is deemed necessary, such legislation should pass.

[AB 188](#)

([Salas D](#)) Vehicle retirement.

Current Analysis: 03/24/2017 [Assembly Transportation \(text 1/19/2017\)](#)

Introduced: 1/19/2017

Status: 3/28/2017-Coauthors revised. From committee: Do pass and re-refer to Com. on APPR. (Ayes 14. Noes 0.) (March 27). Re-referred to Com. on APPR.

Location: 3/27/2017-A. APPR.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law creates the enhanced fleet modernization program to provide compensation for the retirement of passenger vehicles and light-duty and medium-duty trucks that are high polluters. This bill would require the State Air Resources Board, no later than March 2018, to update the guidelines for the enhanced fleet modernization program to make applicable to light-duty pickup trucks the same standard for miles per gallon that is applicable to minivans, as specified.

History:

2017

Read first time. To print.

From printer. May be heard in committee February 19.

Referred to Com. on TRANS.

Coauthors revised. From committee: Do pass and re-refer to Com. on APPR. (Ayes 14. Noes 0.) (March 27). Re-referred to Com. on APPR.

Vote Events:

03/27/2017 ASM. TRANS. (Y:14 N:0 A:0) (P)

[AB 193](#)

([Cervantes D](#)) Air Quality Improvement Program: Clean Reused Vehicle Rebate Project.

Introduced: 1/19/2017

Status: 1/30/2017-Referred to Com. on TRANS.

Location: 1/30/2017-A. TRANS.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would require the state board to establish the Clean Reused Vehicle Rebate Project, as a part of the Air Quality Improvement Program, to provide rebates or other incentives for the acquisition of an eligible used vehicle, as defined; the replacement or refurbishment of a battery and related components for an eligible used vehicle or an extended warranty for the battery or related components; or an extended service warranty to cover unexpected vehicle repairs not covered by the manufacturer's warranty related to unique problems in eligible used vehicles, as specified.

History:

2017

Read first time. To print.

From printer. May be heard in committee February 19.

Referred to Com. on TRANS.

(Bigelow R) Greenhouse Gas Reduction Fund: water supply and wastewater systems.

Current Analysis: 03/17/2017 [Assembly Water, Parks And Wildlife \(text 3/6/2017\)](#)

Introduced: 1/19/2017

Last Amend: 3/6/2017

Status: 3/21/2017-From committee: Do pass and re-refer to Com. on NAT. RES. (Ayes 14. Noes 0.) (March 21). Re-referred to Com. on NAT. RES.

Location: 3/21/2017-A. NAT. RES.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar: 4/17/2017 Upon adjournment of Session - State Capitol, Room 447 ASSEMBLY NATURAL RESOURCES, GARCIA, Chair

Summary: Current law requires moneys from the Greenhouse Gas Reduction Fund to be allocated for the purpose of reducing greenhouse gas emissions in this state and satisfying other purposes. Current law authorizes specified investments, including water use and supply, if the investment furthers the regulatory purposes of the California Global Warming Solutions Act of 2006 and is consistent with law. This bill would authorize the use of the moneys in the fund for electric pump efficiency, water and wastewater systems, pump and pump motor efficiency improvements, and drinking water transmission and distribution systems' water loss if the investment furthers the regulatory purposes of the act and is consistent with law.

History:

2017

Read first time. To print.

From printer. May be heard in committee February 19.

Referred to Coms. on W.,P., & W. and NAT. RES.

From committee chair, with author's amendments: Amend, and re-refer to Com. on W.,P., & W. Read second time and amended.

Re-referred to Com. on W.,P., & W.

From committee: Do pass and re-refer to Com. on NAT. RES. (Ayes 14. Noes 0.) (March 21). Re-referred to Com. on NAT. RES.

Vote Events:

03/21/2017 ASM. W.,P. & W. (Y:14 N:0 A:1) (P)

Notes 1: It is our understanding water supply infrastructure in the State represents one of the largest electrical energy users in California. Upgrading and repairing this infrastructure could represent an efficiency improvement for this large user.

(Santiago D) Hazardous waste: facilities: permits: fence-line monitoring systems.

Current Analysis: 04/03/2017 [Assembly Appropriations \(text 3/9/2017\)](#)

Introduced: 1/30/2017

Last Amend: 3/9/2017

Status: 4/5/2017-In committee: Set, first hearing. Referred to suspense file.

Location: 3/9/2017-A. APPR.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would, as a condition for a new hazardous waste facilities permit or a renewal of a hazardous waste facilities permit, require an applicant to install and maintain a fence-line monitoring system to measure and record emissions along the border of the facility. The bill would provide that this requirement applies only for a permit to operate a hazardous waste facility that treats or disposes of hazardous waste. Because a violation of this requirement would be a crime, the bill would impose a state-mandated local program.

History:

2017

Read first time. To print.

From printer. May be heard in committee March 2.

Referred to Com. on E.S. & T.M.

From committee: Amend, and do pass as amended and re-refer to Com. on APPR. (Ayes 5. Noes 0.) (March 7).

Read second time and amended.

Re-referred to Com. on APPR.

In committee: Set, first hearing. Referred to suspense file.

Vote Events:

03/07/2017 ASM. E.S. & T.M. (Y:5 N:0 A:2) (P)

Notes 1: This bill as amended calls for the installation of a fence around a hazardous waste treatment facility and calls for the monitoring of emissions from that facility at that fence line.

[AB 248](#)

([Reyes D](#)) Hazardous waste: facilities: permits.

Current Analysis: 03/03/2017 [Assembly Environmental Safety And Toxic Materials \(text 1/30/2017\)](#)

Introduced: 1/30/2017

Status: 3/8/2017-From committee: Do pass and re-refer to Com. on APPR. (Ayes 5. Noes 2.) (March 7). Re-referred to Com. on APPR.

Location: 3/8/2017-A. APPR.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would require, for a hazardous waste facilities permit that will expire on or before July 1, 2020, the owner or operator of a facility intending to extend the term of that permit to submit a complete Part A and Part B application for a permit renewal at least 6 months before the fixed term of the permit expires. The bill would require, for a hazardous waste facilities permit that will expire after July 1, 2020, the owner or operator to submit a complete Part A and Part B application for a permit renewal at least 2 years before the fixed term of the permit expires.

History:

2017

Read first time. To print.

From printer. May be heard in committee March 2.

Referred to Com. on E.S. & T.M.

From committee: Do pass and re-refer to Com. on APPR. (Ayes 5. Noes 2.) (March 7). Re-referred to Com. on APPR.

Vote Events:

03/07/2017 ASM. E.S. & T.M. (Y:5 N:2 A:0) (P)

[AB 262](#)

([Bonta D](#)) Public contracts: lowest responsible bidder: eligible materials.

Current Analysis: 04/03/2017 [Assembly Accountability And Administrative Review \(text 3/27/2017\)](#)

Introduced: 1/31/2017

Last Amend: 3/27/2017

Status: 4/5/2017-In committee: Set, first hearing. Failed passage.

Location: 2/13/2017-A. A. & A.R.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: The State Contract Act governs the bidding and award of public works contracts by specific state departments. This bill would require an awarding department to require a prospective bidder to complete a standard form that states the cumulative amount of specified greenhouse gas emissions that were produced in the manufacturing of eligible materials, as defined, to be used on the project, and would provide that a prospective bidder may satisfy this standard by attaching to that form an Environmental Product Declaration, developed in accordance with standards established by the International Organization of Standardization, for that type of product.

History:

2017

Read first time. To print.

From printer. May be heard in committee March 3.

Referred to Coms. on A. & A.R. and NAT. RES.

From committee chair, with author's amendments: Amend, and re-refer to Com. on A. & A.R. Read second time and amended.

Re-referred to Com. on A. & A.R.

In committee: Set, first hearing. Failed passage.

Vote Events:

04/05/2017 ASM. A. & A.R. (Y:3 N:1 A:3) (F)

Notes 1: The bill requires contractors winning state bids to submit affidavits detailing the amount of GHG's generated from the making of raw materials used in such projects.

[AB 277](#)

([Mathis R](#)) Water and Wastewater Loan and Grant Program.

Current Analysis: 04/03/2017 [Assembly Appropriations \(text 3/27/2017\)](#)

Introduced: 2/1/2017

Last Amend: 3/27/2017

Status: 4/5/2017-In committee: Set, first hearing. Referred to suspense file.

Location: 3/21/2017-A. APPR.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
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1st House	2nd House	Conc.			
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Summary: Would, to the extent funding is made available, authorize the State Water Resources Control Board to establish the Water and Wastewater Loan and Grant Program to provide funding to eligible applicants for specified purposes relating to drinking water and wastewater treatment. This bill would authorize a county or qualified nonprofit organization to apply to the board for a grant to award loans or grants, or both, to an eligible applicant. The bill would authorize the board to use a funding source that is authorized for and consistent with the purposes of the program.

History:

2017

Read first time. To print.

From printer. May be heard in committee March 4.

Referred to Com. on W.,P., & W.

From committee chair, with author's amendments: Amend, and re-refer to Com. on W.,P., & W. Read second time and amended.

Re-referred to Com. on W.,P., & W.

From committee chair, with author's amendments: Amend, and re-refer to Com. on W.,P., & W. Read second time and amended.

Re-referred to Com. on W.,P., & W.

Coauthors revised. From committee: Do pass and re-refer to Com. on APPR. (Ayes 14. Noes 0.) (March 21). Re-referred to Com. on APPR.

From committee chair, with author's amendments: Amend, and re-refer to Com. on APPR. Read second time and amended.

Re-referred to Com. on APPR.

In committee: Set, first hearing. Referred to suspense file.

Vote Events:

03/21/2017 ASM. W.,P. & W. (Y:14 N:0 A:1) (P)

[AB 278](#)

(Steinorth R) California Environmental Quality Act: exemption: existing transportation infrastructure.

Current Analysis: 03/17/2017 [Assembly Natural Resources \(text 2/2/2017\)](#)

Introduced: 2/2/2017

Status: 3/20/2017-VOTE: Reconsideration. (FAIL)

Location: 2/13/2017-A. NAT. RES.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would exempt from the provisions of CEQA a project, or the issuance of a permit for a project, that consists of the inspection, maintenance, repair, rehabilitation, replacement, or removal of, or the addition of an auxiliary lane or bikeway to, existing transportation infrastructure and that meets certain requirements. The bill would require the public agency carrying out the project to take certain actions.

History:

2017

Read first time. To print.

From printer. May be heard in committee March 5.

Referred to Coms. on NAT. RES. and TRANS.

Coauthors revised.

Coauthors revised.

Vote Events:

03/20/2017 ASM. NAT. RES. (Y:10 N:0 A:0) (P)

03/20/2017 ASM. NAT. RES. (Y:3 N:7 A:0) (F)

[AB 302](#)

(Gipson D) Vehicular air pollution: incentives.

Introduced: 2/6/2017

Last Amend: 3/21/2017

Status: 3/21/2017-From committee chair, with author's amendments: Amend, and re-refer to Com. on TRANS. Read second time and amended.

Location: 3/20/2017-A. TRANS.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar: 4/17/2017 2:30 p.m. - State Capitol, Room 4202 ASSEMBLY TRANSPORTATION, FRAZIER, Chair

Summary: The Carl Moyer Memorial Air Quality Standards Attainment Program authorizes the state board to

provide grants to offset the incremental cost of eligible projects that reduce emissions from covered vehicular sources. The program requires the state board and participating air pollution control and air quality management districts to institute an outreach program to inform fleet owners, among others, of the availability of grants under the program and of the requirements and objectives of the grant program. This bill would require air districts to notify in writing the operators of public and commercial motor vehicle fleets of incentive programs available for motor vehicle fleets and to post on the districts' Internet Web sites information on incentive programs available for motor vehicle fleets. By adding to the duties of air districts, this bill would impose a state-mandated local program.

History:

2017

Read first time. To print.

From printer. May be heard in committee March 9.

Referred to Com. on TRANS.

From committee chair, with author's amendments: Amend, and re-refer to Com. on TRANS. Read second time and amended.

Notes 1: AB 302 dealing with the Carl Moyer program is now a little more specific than its version. The bill now calls for Air Districts to post on their websites specific information about the upcoming programs available through the Program to qualifying participants.

[AB 311](#)

([Mathis](#) R) Methane: dairy and livestock.

Introduced: 2/6/2017

Status: 2/7/2017-From printer. May be heard in committee March 9.

Location: 2/6/2017-A. PRINT

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law requires the State Air Resources Board, in consultation with the Department of Food and Agriculture, to adopt regulations to reduce methane emissions from livestock manure management operations and dairy manure management operations consistent with the strategy, as specified. This bill would make technical, nonsubstantive changes to those provisions.

History:

2017

Read first time. To print.

From printer. May be heard in committee March 9.

[AB 321](#)

([Mathis](#) R) Groundwater sustainability plans.

Current Analysis: 03/17/2017 [Assembly Water, Parks And Wildlife \(text 2/7/2017\)](#)

Introduced: 2/7/2017

Status: 4/4/2017-Coauthors revised.

Location: 2/21/2017-A. W.,P. & W.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar: 4/25/2017 9 a.m. - State Capitol, Room 444 ASSEMBLY WATER, PARKS AND WILDLIFE, GARCIA, Chair

Summary: The Sustainable Groundwater Management Act requires that all groundwater basins that are designated as basins subject to critical conditions of overdraft to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans by January 31, 2020, and requires all other groundwater basins designated as high- or medium-priority basins to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans by January 31, 2022, except as specified. This bill would require the groundwater sustainability agency to solicit the participation of farmers, ranchers, and other qualified professionals within the groundwater basin prior to and during the development and implementation of the plan.

History:

2017

Read first time. To print.

From printer. May be heard in committee March 10.

Referred to Com. On W.,P., & W.

In committee: Set, first hearing. Hearing canceled at the request of author.

Coauthors revised.

Notes 1: Although not an air issue, the management of groundwater supplies is of vast importance for the State and

therefore we feel it appropriate to include this bill in the Districts bill list.

[AB 378](#)

([Garcia, Cristina](#) D) California Global Warming Solutions Act of 2006: regulations.

Introduced: 2/9/2017

Status: 2/21/2017-Referred to Com. on NAT. RES.

Location: 2/21/2017-A. NAT. RES.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would require the State Air Resources Board to consider and account for the social costs of the emissions and greenhouse gases when adopting those rules and regulations. The bill would authorize the state board to adopt or subsequently revise new regulations that establish a market-based compliance mechanism, applicable from January 1, 2021, to December 31, 2030, to complement direct emissions reduction measures in ensuring that statewide greenhouse gas emissions are reduced to at least 40% below the 1990 level by 2030.

History:

2017

Read first time. To print.

From printer. May be heard in committee March 12.

Referred to Com. on NAT. RES.

Notes 1: This bill not only promotes the continuation of the cap and trade program with revisions but also calls for direct emissions reduction measures to compliment cap and trade.

[AB 388](#)

([Mullin](#) D) Greenhouse Gas Reduction Fund: wetland restoration projects.

Current Analysis: 04/03/2017 [Assembly Appropriations \(text 3/23/2017\)](#)

Introduced: 2/9/2017

Last Amend: 3/23/2017

Status: 4/6/2017-Action From APPR.: Read second time.To THIRD READING.

Location: 4/6/2017-A. THIRD READING

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar: 4/6/2017 #25 ASSEMBLY SECOND READING FILE -- ASSEMBLY BILLS

Summary: This bill would authorize the use of the moneys in the Greenhouse Gas Reduction Fund for the reuse of dredged material for wetland restoration projects, as specified, if the investment furthers the regulatory purposes of the California Global Warming Solutions Act of 2006 and is consistent with law.

History:

2017

Read first time. To print.

From printer. May be heard in committee March 12.

Referred to Com. on NAT. RES.

From committee chair, with author's amendments: Amend, and re-refer to Com. on NAT. RES. Read second time and amended.

Re-referred to Com. on NAT. RES.

From committee: Amend, and do pass as amended and re-refer to Com. on APPR. (Ayes 9. Noes 0.) (March 20).

Read second time and amended.

Re-referred to Com. on APPR.

From committee: Do pass. (Ayes 17. Noes 0.) (April 5).

Vote Events:

04/05/2017 ASM. APPR. (Y:17 N:0 A:0) (P)

03/20/2017 ASM. NAT. RES. (Y:9 N:0 A:1) (P)

[AB 398](#)

([Garcia, Eduardo](#) D) Air pollution.

Current Analysis: 03/30/2017 [Assembly Natural Resources \(text 3/28/2017\)](#)

Introduced: 2/9/2017

Last Amend: 3/28/2017

Status: 4/3/2017-Action From NAT. RES.: Do pass as amended.To APPR..

Location: 4/3/2017-A. APPR.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law designates the air districts with the primary responsibility for control of air pollution from

sources other than mobile sources. Current law designated the state board with the primary responsibility for control of air pollution from mobile sources. This bill would require the State Air Resources Board to hold annually one or more hearings in conjunction, singularly or in combination, with one or more specified air districts. By requiring the state board and the air districts to jointly hold hearings, this bill would impose additional duties on the air districts, thereby would impose a state-mandated local program.

History:

2017

Read first time. To print.

From printer. May be heard in committee March 12.

Referred to Com. on NAT. RES.

Coauthors revised.

From committee chair, with author's amendments: Amend, and re-refer to Com. on NAT. RES. Read second time and amended.

Vote Events:

04/03/2017 ASM. NAT. RES. (Y:10 N:0 A:0) (P)

Notes 1: As amended, AB 398 now calls for joint hearings of both the State Air Resources Control board and local Air Districts. We feel MDAQMD will find how this proposal proceeds of interest.

[AB 419](#)

([Salas](#) D) Zero net energy residential buildings: report.

Introduced: 2/9/2017

Last Amend: 3/13/2017

Status: 3/30/2017-In committee: Hearing postponed by committee.

Location: 2/21/2017-A. NAT. RES.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar: 4/17/2017 Upon adjournment of Session - State Capitol, Room 447 ASSEMBLY NATURAL RESOURCES, GARCIA, Chair

Summary: Current law requires the State Resources Conservation and Development Commission to develop and implement a comprehensive program to achieve greater energy savings in current residential and nonresidential building stock. This bill would require the commission, no later than July 1, 2019, to report to the appropriate fiscal and policy committees of the Legislature on the commission's zero net energy residential buildings programs, as specified.

History:

2017

Read first time. To print.

From printer. May be heard in committee March 12.

Referred to Com. on NAT. RES.

From committee chair, with author's amendments: Amend, and re-refer to Com. on NAT. RES. Read second time and amended.

Re-referred to Com. on NAT. RES.

In committee: Hearing postponed by committee.

[AB 438](#)

([Caballero](#) D) Surface mining: greenhouse gases.

Introduced: 2/13/2017

Status: 2/27/2017-Referred to Com. on NAT. RES.

Location: 2/27/2017-A. NAT. RES.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would require a city or county acting as a lead agency under the Surface Mining and Reclamation Act of 1975 to notify the State Air Resources Board when an application for a new permit or to renew a permit for a surface mining operation for construction aggregate operations is filed with the city or county. The bill would require the state board to prepare and provide to the city or county a low-carbon infrastructure supply chain analysis, as specified, to assist the city or county in its decisionmaking role under the Surface Mining and Reclamation Act of 1975.

History:

2017

Read first time. To print.

From printer. May be heard in committee March 16.

Referred to Com. on NAT. RES.

AB 476**(Gipson D) Vehicular air pollution.****Introduced: 2/13/2017****Status: 2/27/2017-Referred to Com. on TRANS.****Location: 2/27/2017-A. TRANS.**

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar: 4/17/2017 2:30 p.m. - State Capitol, Room 4202 ASSEMBLY TRANSPORTATION, FRAZIER, Chair

Summary: Current law imposes various limitations on emissions of air contaminants for the control of air pollution from vehicular and nonvehicular sources. This bill would define a heavy-duty vehicle as having a manufacturer's maximum gross vehicle weight rating of 26,001 or more pounds, a light-duty vehicle as having a manufacturer's gross vehicle weight rating of under 10,001 pounds, and a medium duty vehicle as having a manufacturer's gross vehicle weight rating of between 10,001 and 26,000 pounds.

History:**2017****Read first time. To print.****From printer. May be heard in committee March 16.****Referred to Com. on TRANS.****AB 483****(Bocanegra D) Airports: pollution.****Current Analysis: 03/30/2017 [Assembly Natural Resources \(text 3/28/2017\)](#)****Introduced: 2/13/2017****Last Amend: 3/28/2017****Status: 4/4/2017-From committee: Do pass and re-refer to Com. on E.S. & T.M. (Ayes 7. Noes 1.) (April 3). Re-referred to Com. on E.S. & T.M.****Location: 4/3/2017-A. E.S. & T.M.**

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar: 4/25/2017 1:30 p.m. - State Capitol, Room 444 ASSEMBLY ENVIRONMENTAL SAFETY AND TOXIC MATERIALS, QUIRK, Chair

Summary: Would require the Department of Toxic Substances Control and the State Air Resources Board to conduct or require to be conducted specified tests of the soil and air quality at airports, as defined. The bill would require the state board to coordinate the air quality testing with air districts. The bill would require the department, no later than July 1, 2019, to submit a specified report to the Legislature and post that report on its Internet Web site. The bill would require the state board and appropriate air district to compile and post a specified annual report on their Internet Web sites.

History:**2017****Read first time. To print.****From printer. May be heard in committee March 16.****Referred to Coms. on NAT. RES. and E.S. & T.M.****From committee chair, with author's amendments: Amend, and re-refer to Com. on NAT. RES. Read second time and amended.****Re-referred to Com. on NAT. RES.****In committee: Set, first hearing. Hearing canceled at the request of author.****From committee chair, with author's amendments: Amend, and re-refer to Com. on NAT. RES. Read second time and amended.****Re-referred to Com. on NAT. RES.****From committee: Do pass and re-refer to Com. on E.S. & T.M. (Ayes 7. Noes 1.) (April 3). Re-referred to Com. on E.S. & T.M.****Vote Events:****04/03/2017 ASM. NAT. RES. (Y:7 N:1 A:2) (P)****AB 555****(Cunningham R) Greenhouse Gas Reduction Fund: schoolbuses.****Introduced: 2/14/2017****Last Amend: 3/21/2017****Status: 4/3/2017-In committee: Hearing postponed by committee.****Location: 3/20/2017-A. NAT. RES.**

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.			
								Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law requires all moneys, except for fines and penalties, collected by the state board as part of a market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund and to be available upon appropriation. Existing law continuously appropriates 35% of the annual proceeds of the fund for transit, affordable housing, and sustainable communities programs and 25% of the annual proceeds of the fund for certain components of a specified high-speed rail project. This bill would continuously appropriate 4% of the annual proceeds of the fund for each of 3 specified fiscal years to the state board to implement a grant program to replace older, high-polluting schoolbuses with zero-emission or near-zero-emission schoolbuses, as specified.

History:

2017

Read first time. To print.

From printer. May be heard in committee March 17.

Referred to Com. on NAT. RES.

From committee chair, with author's amendments: Amend, and re-refer to Com. on NAT. RES. Read second time and amended.

Re-referred to Com. on NAT. RES.

In committee: Hearing postponed by committee.

Notes 1: Although this bill initially dealt with the Carly Moyer program, as amended, the bill now calls for monies out of the Green House Gas Fund to assist in modernizing the California school bus fleet.

[AB 582](#)

(Garcia, Cristina D) Vehicles: emissions: surveillance.

Current Analysis: 03/24/2017 [Assembly Transportation \(text 3/22/2017\)](#)

Introduced: 2/14/2017

Last Amend: 3/22/2017

Status: 3/28/2017-From committee: Do pass and re-refer to Com. on APPR. (Ayes 12. Noes 1.) (March 27). Re-referred to Com. on APPR.

Location: 3/27/2017-A. APPR.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.			
								Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would require the State Air Resources Board to enhance its surveillance of emissions from new motor vehicles to detect defeat devices or other software used to evade the surveillance of emissions, as specified. The bill would authorize the state board to impose a fee on the manufacturers of new motor vehicles to cover the state board's costs associated with the enhanced surveillance. By expanding an existing continuous appropriation, this bill would make an appropriation.

History:

2017

Read first time. To print.

From printer. May be heard in committee March 17.

Referred to Coms. on NAT. RES. and TRANS.

From committee: Amend, and do pass as amended and re-refer to Com. on TRANS. (Ayes 8. Noes 1.) (March 20).

Read second time and amended.

Re-referred to Com. on TRANS.

From committee: Do pass and re-refer to Com. on APPR. (Ayes 12. Noes 1.) (March 27). Re-referred to Com. on APPR.

Vote Events:

03/27/2017 ASM. TRANS. (Y:12 N:1 A:1) (P)

03/20/2017 ASM. NAT. RES. (Y:8 N:1 A:1) (P)

Notes 1: This bill has been added to the Districts list and calls for the creation of a surveillance program to monitor emission standards for new vehicles.

[AB 655](#)

(O'Donnell D) California Renewables Portfolio Standard Program.

Introduced: 2/14/2017

Last Amend: 3/23/2017

Status: 3/27/2017-Re-referred to Com. on NAT. RES.

Location: 3/23/2017-A. NAT. RES.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.			
								Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar: 4/17/2017 Upon adjournment of Session - State Capitol, Room 447 ASSEMBLY NATURAL

Summary: The California Renewables Portfolio Standard Program requires the Public Utilities Commission to establish a renewables portfolio standard requiring all retail sellers, as defined, to procure a minimum quantity of electricity products from eligible renewable energy resources, as defined, so that the total kilowatthours sold to their retail end-use customers achieves 25% of retail sales by December 31, 2016, 33% by December 31, 2020, 40% by December 31, 2024, 45% by December 31, 2027, and 50% by December 31, 2030. This bill would provide that a facility engaged in the transformation of municipal solid waste is an eligible renewable energy resource, and can earn renewable energy credits, if it operates, on an annual basis, at not less than 20% below the permitted emissions of air contaminants, or toxic air contaminants concentration limits, for the facility and the operator of the facility has reported its emissions to the applicable air pollution control district or air quality management district for a period of not less than 5 years, as specified.

History:

2017

Read first time. To print.

From printer. May be heard in committee March 17.

Referred to Com. on NAT. RES. From committee chair, with author's amendments: Amend, and re-refer to Com. on NAT. RES. Read second time and amended.

Re-referred to Com. on NAT. RES.

Notes 1: This bill is a new addition to the Districts bill list. We understand that efforts to include electricity generated from transformation facilities in the RPS portfolio have been attempted in the past. Here is another effort to do so with conditions that the facility minimize emissions and has been report air emissions over the past 5 years. There has been significant opposition to these efforts and would be surprised if this bill is successful.

AB 733

(Berman D) Enhanced infrastructure financing districts: projects: climate change.

Current Analysis: 04/04/2017 [Assembly Local Government \(text 3/23/2017\)](#)

Introduced: 2/15/2017

Last Amend: 3/23/2017

Status: 3/27/2017-Re-referred to Com. on L. GOV.

Location: 3/2/2017-A. L. GOV.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law authorizes the legislative body of a city or a county to establish an enhanced infrastructure financing district to finance public capital facilities or other specified projects of communitywide significance, and makes related findings and declarations. This bill would additionally authorize the financing of projects that enable communities to adapt to the impacts of climate change, including, but not limited to, extreme weather events, sea level rise, flooding, heat waves, wildfire, and drought, and would make conforming changes to the Legislature's findings and declarations.

History:

2017

Read first time. To print.

From printer. May be heard in committee March 18.

Referred to Com. on L. GOV.

From committee chair, with author's amendments: Amend, and re-refer to Com. on L. GOV. Read second time and amended.

Re-referred to Com. on L. GOV.

AB 771

(Quirk D) Burning of forest lands: forest land owners.

Current Analysis: 03/30/2017 [Assembly Natural Resources \(text 2/15/2017\)](#)

Introduced: 2/15/2017

Status: 4/4/2017-From committee: Do pass and re-refer to Com. on APPR. with recommendation: To Consent Calendar. (Ayes 10. Noes 0.) (April 3). Re-referred to Com. on APPR.

Location: 4/3/2017-A. APPR.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would require the Department of Forestry and Fire Protection, by July 1, 2018, in consultation with the State Air Resources Board, local air districts, and other relevant organizations and individuals, to develop an Internet Web site that provides the public certain information relating to prescribed burns, including information on the regulations that govern prescribed burns for forest fuel treatment, and to develop a uniform prescribed burn template for forest landowners that provides standardized procedures associated with planning and implementation of a

prescribed burn and meets specified objectives.

History:

2017

Read first time. To print.

From printer. May be heard in committee March 18.

Referred to Com. on NAT. RES.

From committee: Do pass and re-refer to Com. on APPR. with recommendation: To Consent Calendar. (Ayes 10. Noes 0.) (April 3). Re-referred to Com. on APPR.

Vote Events:

04/03/2017 ASM. NAT. RES. (Y:10 N:0 A:0) (P)

[AB 797](#)

([Irwin D](#)) Solar thermal systems.

Current Analysis: 03/28/2017 [Assembly Utilities And Energy \(text 3/22/2017\)](#)

Introduced: 2/15/2017

Last Amend: 3/22/2017

Status: 3/23/2017-Re-referred to Com. on U. & E.

Location: 3/2/2017-A. U. & E.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar: 4/19/2017 1:30 p.m. - State Capitol, Room 437 ASSEMBLY UTILITIES AND ENERGY, HOLDEN, Chair

Summary: The Solar Water Heating and Efficiency Act of 2007, until August 1, 2018, requires the Public Utilities Commission, if it determines that a solar water heating program is cost effective for ratepayers and in the public interest, to implement a program to promote the installation of 200,000 solar water heating systems. This bill would revise the program to, among other things, promote the installation of solar thermal systems throughout the state, set the maximum funding for the program between January 1, 2018, and July 31, 2023, at \$250,000,000, reserve 50% of the total program budget for the installation of solar thermal systems in low-income residential housing or in buildings in disadvantaged communities, and extend the operation of the program through July 31, 2023.

History:

2017

Read first time. To print.

From printer. May be heard in committee March 18.

Referred to Com. on U. & E.

From committee chair, with author's amendments: Amend, and re-refer to Com. on U. & E. Read second time and amended.

Re-referred to Com. on U. & E.

Notes 1: This bill is new to the Districts, and call for a program to assist in the installation of solar power hot water heaters in low income communities. We thought this may be of interest.

[AB 798](#)

([Garcia, Eduardo D](#)) Salton Sea restoration.

Introduced: 2/15/2017

Last Amend: 3/23/2017

Status: 3/27/2017-Re-referred to Com. on W.,P., & W.

Location: 3/23/2017-A. W.,P. & W.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would require the Natural Resources Agency, on or before June 30, 2018, to undertake certain planning activities and to make an effort to secure adequate funding to accomplish a specified goal for the restoration of the Salton Sea.

History:

2017

Read first time. To print.

From printer. May be heard in committee March 18.

Referred to Com. on W.,P., & W. From committee chair, with author's amendments: Amend, and re-refer to Com. on W.,P., & W. Read second time and amended.

Re-referred to Com. on W.,P., & W.

[AB 964](#)

([Gomez D](#)) Economic development: Capital Access Loan Program: low emission vehicles.

Introduced: 2/16/2017

Status: 3/2/2017-Referred to Coms. on TRANS. and NAT. RES.

Location: 3/2/2017-A. TRANS.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar: 4/17/2017 2:30 p.m. - State Capitol, Room 4202 ASSEMBLY TRANSPORTATION, FRAZIER, Chair

Summary: Would create the California Affordable Clean Vehicle Program to assist low-income or high financial risk individuals in the purchase of low-emission vehicles. The bill would require the California Pollution Control Financing Authority to adopt regulations to implement the program. The bill would establish the California Affordable Clean Vehicle Program Fund, a continuously appropriated fund, for purposes of the program, and would transfer \$50,000,000 from the Greenhouse Gas Reduction Fund to the California Affordable Clean Vehicle Program Fund.

History:

2017

Read first time. To print.

From printer. May be heard in committee March 19.

Referred to Coms. on TRANS. and NAT. RES.

[AB 1014](#)

([Cooper D](#)) Diesel backup generators: health facility.

Current Analysis: 03/31/2017 [Assembly Health \(text 3/21/2017\)](#)

Introduced: 2/16/2017

Last Amend: 3/21/2017

Status: 4/5/2017-From committee: Do pass and re-refer to Com. on NAT. RES. with recommendation: To Consent Calendar. (Ayes 14. Noes 0.) (April 4). Re-referred to Com. on NAT. RES.

Location: 3/9/2017-A. NAT. RES.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would require a health facility, as defined, to conduct specified tests and maintenance of its diesel backup generators and standby systems. By adding to the duties of air districts, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

History:

2017

Read first time. To print.

From printer. May be heard in committee March 19.

Referred to Coms. on HEALTH and NAT. RES.

From committee chair, with author's amendments: Amend, and re-refer to Com. on HEALTH. Read second time and amended.

Re-referred to Com. on HEALTH.

From committee: Do pass and re-refer to Com. on NAT. RES. with recommendation: To Consent Calendar. (Ayes 14. Noes 0.) (April 4). Re-referred to Com. on NAT. RES.

Vote Events:

04/04/2017 ASM. HEALTH (Y:14 N:0 A:1) (P)

[AB 1073](#)

([Garcia, Eduardo D](#)) California Clean Truck, Bus, and Off-Road Vehicle and Equipment Technology Program.

Current Analysis: 03/30/2017 [Assembly Transportation \(text 2/16/2017\)](#)

Introduced: 2/16/2017

Status: 4/4/2017-From committee: Do pass and re-refer to Com. on NAT. RES. (Ayes 13. Noes 0.) (April 3). Re-referred to Com. on NAT. RES.

Location: 4/3/2017-A. NAT. RES.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would require the State Air Resources Board, when funding a specified class of projects, to allocate, until January 1, 2023, no less than 20% of that available funding to support the early commercial deployment or existing zero- and near-zero-emission heavy-duty truck technology. This bill contains other existing laws.

History:

2017

Read first time. To print.

From printer. May be heard in committee March 19.

Referred to Coms. on TRANS. and NAT. RES.

From committee: Do pass and re-refer to Com. on NAT. RES. (Ayes 13. Noes 0.) (April 3). Re-referred to Com. on NAT. RES.

Vote Events:

04/03/2017 ASM. TRANS. (Y:13 N:0 A:1) (P)

AB 1132

(Garcia, Cristina D) Nonvehicular air pollution: order of abatement.

Introduced: 2/17/2017

Status: 4/3/2017-In committee: Set, first hearing. Hearing canceled at the request of author.

Location: 3/6/2017-A. NAT. RES.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar: 4/17/2017 Upon adjournment of Session - State Capitol, Room 447 ASSEMBLY NATURAL RESOURCES, GARCIA, Chair

Summary: Current law regulates the emission of air pollutants by stationary sources and authorizes the regional air quality management districts and air pollution control districts (air districts) to enforce those requirements. Current law authorizes the governing boards and the hearing boards of air districts to issue an order for abatement, after notice and a hearing, whenever they find a violation of those requirements. This bill would authorize the air pollution control officer, if he or she determines that a person has violated those requirements and the violation presents an imminent and substantial endangerment to the public health or welfare, or the environment, to issue an order for abatement pending a hearing before the hearing board of the air district.

History:

2017

Read first time. To print.

From printer. May be heard in committee March 21.

Referred to Com. on NAT. RES.

In committee: Set, first hearing. Hearing canceled at the request of author.

Notes 1: Does this bill provide additional authorities to APCO's?

AB 1274

(O'Donnell D) Smog check: exemption.

Introduced: 2/17/2017

Last Amend: 3/30/2017

Status: 4/3/2017-Re-referred to Com. on TRANS.

Location: 3/30/2017-A. TRANS.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar: 4/17/2017 2:30 p.m. - State Capitol, Room 4202 ASSEMBLY TRANSPORTATION, FRAZIER, Chair

Summary: Would, except as provided, exempt motor vehicles that are 8 or less model-years old from being inspected biennially upon renewal of registration. The bill would assess an annual smog abatement fee of \$24 on motor vehicles that are 7 or 8 model-years old. The bill would require the fee be deposited into the Air Pollution Control Fund and be available for expenditure, upon appropriation by the Legislature, to fund the Carl Moyer Memorial Air Quality Standards Attainment Program.

History:

2017

Read first time. To print.

From printer. May be heard in committee March 21.

Referred to Com. on TRANS. From committee chair, with author's amendments: Amend, and re-refer to Com. on TRANS. Read second time and amended.

Re-referred to Com. on TRANS.

Notes 1: Although the title of this bill originally referenced the Carl Moyer program and does not now, the bill still proposes to support the program thru the creation of a Smog Abatement fee on older vehicles to assist in funding the program.

AB 1301

(Fong R) Joint Legislative Committee on Climate Change Policies.

Introduced: 2/17/2017

Last Amend: 3/22/2017

Status: 3/23/2017-Re-referred to Com. on NAT. RES.

Location: 3/13/2017-A. NAT. RES.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Summary: Current law creates the Joint Legislative Committee on Climate Change Policies and requires the committee to ascertain facts and make recommendations to the Legislature and to committees of the Legislature concerning the state's programs, policies, and investments related to climate change, as specified. This bill would state the mission of the joint committee, as specified, and would require the chair of the State Air Resources Board to annually make a specified presentation to the joint committee on specified greenhouse gas emissions reduction measures that are being implemented or considered by the state board.

History:

2017

Read first time. To print.

From printer. May be heard in committee March 21.

Referred to Com. on NAT. RES.

From committee chair, with author's amendments: Amend, and re-refer to Com. on NAT. RES. Read second time and amended.

Re-referred to Com. on NAT. RES.

[AB 1317](#)

(Gray D) Carl Moyer Memorial Air Quality Standards Attainment Program.

Introduced: 2/17/2017

Status: 3/16/2017-Referred to Com. on TRANS.

Location: 3/16/2017-A. TRANS.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Calendar: 4/17/2017 2:30 p.m. - State Capitol, Room 4202 ASSEMBLY TRANSPORTATION, FRAZIER, Chair

Summary: Would additionally authorize as an eligible grant applicant under the Carl Moyer Memorial Air Quality Standards Attainment Program an operator or owner of point or mobile emissions sources on lands that are wholly or partially under easement for conservation and habitat purposes with the United States Fish and Wildlife Service or the Department of Fish and Wildlife and are located within the boundaries of the grassland ecological area, as defined by the County of Merced.

History:

2017

Read first time. To print.

From printer. May be heard in committee March 21.

Referred to Com. on TRANS.

[AB 1342](#)

(Flora R) Greenhouse Gas Reduction Fund: appropriations.

Introduced: 2/17/2017

Status: 3/13/2017-Referred to Com. on NAT. RES.

Location: 3/13/2017-A. NAT. RES.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
1st House				2nd House				Conc.			

Calendar: 4/17/2017 Upon adjournment of Session - State Capitol, Room 447 ASSEMBLY NATURAL RESOURCES, GARCIA, Chair

Summary: Would continuously appropriate \$100,000,000 from the Greenhouse Gas Reduction Fund to the Department of Forestry and Fire Protection for healthy forest programs that reduce greenhouse gas emissions caused by uncontrolled wildfires, as specified. The bill would continuously appropriate \$100,000,000 from the fund to the Department of Resources Recycling and Recovery for instate organic waste recycling projects that reduce greenhouse gas emissions, as specified.

History:

2017

Read first time. To print.

From printer. May be heard in committee March 21.

Referred to Com. on NAT. RES.

[AB 1383](#)

(Fong R) California Global Warming Solutions Act of 2006: regulations.

Introduced: 2/17/2017

Status: 3/13/2017-Referred to Com. on NAT. RES.

Location: 3/13/2017-A. NAT. RES.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: The State Air Resources Board is required to approve a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions level in 1990 to be achieved by 2020 and to ensure that statewide greenhouse gas emissions are reduced to at least 40% below the 1990 level by 2030. The California Global Warming Solutions Act requires the state board to adopt rules and regulations in an open public process to achieve the maximum technologically feasible and cost-effective greenhouse gas emissions reductions. This bill would require the state board to take specified actions and make specified findings prior to adopting a regulation under the act.

History:

2017

Read first time. To print.

From printer. May be heard in committee March 21.

Referred to Com. on NAT. RES.

[AB 1433](#)

([Wood D](#)) Climate Adaptation and Resilience Based on Nature Act.

Introduced: 2/17/2017

Status: 3/13/2017-Referred to Com. on NAT. RES.

Location: 3/13/2017-A. NAT. RES.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would create the Climate Adaptation and Resilience Based on Nature Account in the Greenhouse Gas Reduction Fund and would transfer, beginning in the 2017–18 fiscal year, 20% of the annual proceeds of the fund to the account. The bill would, upon appropriation by the Legislature in the annual Budget Act, make available the moneys in the account to the Wildlife Conservation Board for grants and programs that facilitate actions to protect and improve the resilience of natural systems and to reduce emissions of greenhouse gases.

History:

2017

Read first time. To print.

From printer. May be heard in committee March 21.

Referred to Com. on NAT. RES.

Notes 1: This bill has been added to the District's list and is another call for funds from the Greenhouse gas reduction fund.

[AB 1623](#)

([Acosta R](#)) State Air Resources Board.

Introduced: 2/17/2017

Status: 2/19/2017-From printer. May be heard in committee March 21.

Location: 2/17/2017-A. PRINT

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law designates the State Air Resources Board as the state agency charged with coordinating efforts to attain and maintain ambient air quality standards, to conduct research into the causes of and solution to air pollution, and to systematically attack the serious problem caused by motor vehicles. This bill would make a technical, nonsubstantive change to that provision.

History:

2017

Read first time. To print.

From printer. May be heard in committee March 21.

[SB 1](#)

([Beall D](#)) Transportation funding.

Current Analysis: 04/05/2017 [Senate Floor Analyses \(text 4/3/2017\)](#)

Introduced: 12/5/2016

Last Amend: 4/3/2017

Status: 4/3/2017-From committee: Do pass as amended. (Ayes 5. Noes 2.) (April 3). Senate Rule 29 suspended. (Ayes 26. Noes 11.) Read second time and amended. Ordered to third reading. Published April 3 at 2:39 p.m.

Location: 4/3/2017-S. THIRD READING

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.			
								Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar: 4/6/2017 #33 SENATE SEN THIRD READING FILE - SEN BILLS

Summary: Would create the Road Maintenance and Rehabilitation Program to address deferred maintenance on the state highway system and the local street and road system. The bill would require the California Transportation Commission to adopt performance criteria, consistent with a specified asset management plan, to ensure efficient use of certain funds available for the program. This bill contains other related provisions and other existing laws.

History:

2016

Introduced. Read first time. To Com. on RLS. for assignment. To print. (Corrected December 6).

From printer. May be acted upon on or after January 5.

2017

Referred to Com. on RLS. From committee with author's amendments. Read second time and amended. Re-referred to Com. on RLS.

Re-referred to Coms. on T. & H., EQ., and GOV. & F.

Set for hearing February 14.

From committee: Do pass and re-refer to Com. on EQ. (Ayes 8. Noes 3. Page 192.) (February 14). Re-referred to Com. on EQ.

Set for hearing February 22.

From committee: Do pass and re-refer to Com. on GOV. & F. (Ayes 4. Noes 2. Page 253.) (February 22). Re-referred to Com. on GOV. & F.

Set for hearing March 1.

March 1 hearing postponed by committee.

Set for hearing March 8.

From committee: Do pass and re-refer to Com. on APPR. (Ayes 5. Noes 1. Page 327.) (March 8). Re-referred to Com. on APPR.

Set for hearing April 3. From committee with author's amendments. Read second time and amended. Re-referred to Com. on APPR.

From committee: Do pass as amended. (Ayes 5. Noes 2.) (April 3). Senate Rule 29 suspended. (Ayes 26. Noes 11.)

Read second time and amended. Ordered to third reading. Published April 3 at 2:39 p.m.

Vote Events:

04/03/2017 SEN. APPR. (Y:5 N:2 A:0) (P)

03/08/2017 SEN. GOV. & F. (Y:5 N:1 A:1) (P)

02/22/2017 SEN. E.Q. (Y:4 N:2 A:1) (P)

02/14/2017 SEN. T. & H. (Y:8 N:3 A:2) (P)

Notes 1: SB 1, although convoluted, represents an increases in fuel taxes and registration fees to assisting in the funding of repairs to existing transportation infrastructure in the state. Being a tax bill, we assume it would require a 2/3 majority for passage. The bill seems to be moving right along through the Senate. Interestingly however we have recently heard speculation on increases in gasoline and diesel costs associated with the ongoing implementation of AB 32. Some estimate costs of gasoline could increase between \$.16 and \$.63/ gallon over the next several years.

SB 4

([Mendoza D](#)) Goods Movement: allocation of federal funds: Goods Movement and Clean Trucks Bond Act.

Current Analysis: 03/27/2017 [Senate Environmental Quality \(text 12/5/2016\)](#)

Introduced: 12/5/2016

Status: 3/29/2017-Action From E.Q.: Do pass.To G. & F..

Location: 3/29/2017-S. GOV. & F.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.			
								Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar: 4/19/2017 9:30 a.m. - Room 112 SENATE GOVERNANCE AND FINANCE, MCGUIRE, Chair

Summary: Would, subject to voter approval at the June 5, 2018, statewide primary election, enact the Goods Movement and Clean Trucks Bond Act to authorize \$600,000,000 of state general obligation bonds as follows: \$200,000,000 to the California Transportation Commission for projects and programs eligible for funding from the Trade Corridors Improvement Fund; \$200,000,000 to the State Air Resources Board for projects and programs consistent with the Goods Movement Emission Reduction Program; and \$200,000,000 to the State Air Resources Board for projects and programs to expand the use of zero- and near-zero emission trucks in areas of the state that are designated as severe or extreme nonattainment areas for ozone and particulate matter.

History:

2016

Introduced. Read first time. To Com. on RLS. for assignment. To print.

From printer. May be acted upon on or after January 5.

2017

Referred to Coms. on T. & H., EQ., and GOV. & F.

Set for hearing March 7.

From committee: Do pass and re-refer to Com. on EQ. (Ayes 8. Noes 4. Page 327.) (March 7). Re-referred to Com. on EQ.

Set for hearing March 29.

Vote Events:

03/29/2017 SEN. E.Q. (Y:4 N:2 A:1) (P)

03/07/2017 SEN. T. & H. (Y:8 N:4 A:1) (P)

SB 5

(De León D) *California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018.*

Current Analysis: 03/17/2017 [Senate Governance And Finance \(text 3/15/2017\)](#)

Introduced: 12/5/2016

Last Amend: 3/28/2017

Status: 4/5/2017-Set for hearing April 17.

Location: 3/28/2017-S. APPR.

<i>Desk</i>	<i>Policy</i>	<i>Fiscal</i>	<i>Floor</i>	<i>Desk</i>	<i>Policy</i>	<i>Fiscal</i>	<i>Floor</i>	<i>Conf. Conc.</i>	<i>Enrolled</i>	<i>Vetoed</i>	<i>Chaptered</i>
<i>1st House</i>				<i>2nd House</i>							

Calendar: 4/17/2017 10 a.m. - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS, LARA, Chair

Summary: Would enact the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018, which, if approved by the voters, would authorize the issuance of bonds in an amount of \$3,000,000,000 pursuant to the State General Obligation Bond Law to finance a drought, water, parks, climate, coastal protection, and outdoor access for all program.

History:

2016

Introduced. Read first time. To Com. on RLS. for assignment. To print.

From printer. May be acted upon on or after January 5.

2017

Referred to Coms. on N.R. & W. and GOV. & F.

Set for hearing March 14.

From committee with author's amendments. Read second time and amended. Re-referred to Com. on N.R. & W. March 14 set for first hearing canceled at the request of author.

Set for hearing March 7.

From committee: Do pass as amended and re-refer to Com. on GOV. & F. (Ayes 7. Noes 2. Page 322.) (March 7).

Read second time and amended. Re-referred to Com. on GOV. & F.

Set for hearing March 22.

From committee: Do pass as amended and re-refer to Com. on APPR. (Ayes 5. Noes 1.) (March 22).

Read second time and amended. Re-referred to Com. on APPR.

Set for hearing April 17.

Vote Events:

03/22/2017 SEN. GOV. & F. (Y:5 N:1 A:1) (P)

03/07/2017 SEN. N.R. & W. (Y:7 N:2 A:0) (P)

Notes 1: This bond measure is very similar to the one proposed in Garcia's AB 18. The 2 authors seem to be working together to get at least one of the measures passed although AB 18 seems to be moving much faster that DeLeon's

SB 30

(Lara D) *California-Mexico border: federally funded infrastructure.*

Introduced: 12/5/2016

Last Amend: 2/16/2017

Status: 3/30/2017-Set for hearing April 25.

Location: 3/2/2017-S. G.O.

<i>Desk</i>	<i>Policy</i>	<i>Fiscal</i>	<i>Floor</i>	<i>Desk</i>	<i>Policy</i>	<i>Fiscal</i>	<i>Floor</i>	<i>Conf. Conc.</i>	<i>Enrolled</i>	<i>Vetoed</i>	<i>Chaptered</i>
<i>1st House</i>				<i>2nd House</i>							

Calendar: 4/25/2017 9:30 a.m. - John L. Burton Hearing Room (4203) SENATE GOVERNMENTAL ORGANIZATION, GLAZER, Chair

Summary: Current law establishes the border between the United States and Mexico, which includes the southern border of California. This bill would require any federally funded infrastructure project along California's southern

border that exceeds a cost of \$1 billion to first be approved by a majority of the voters voting on the issue at a statewide general election. The bill also would make related findings and declarations.

History:

2016

Introduced. Read first time. To Com. on RLS. for assignment. To print.

From printer. May be acted upon on or after January 5.

2017

Referred to Com. on RLS.

From committee with author's amendments. Read second time and amended. Re-referred to Com. on RLS.

Re-referred to Com. on G.O.

Set for hearing April 25.

Notes 1: We include this bill only because we find it of interest the State is considering federally funded projects in the State require an approval by California voters if the funds exceed \$1 billion.

[SB 41](#)

([Galgiani D](#)) State Air Resources Board: compliance: regulations.

Current Analysis: 04/03/2017 [Senate Environmental Quality \(text 3/23/2017\)](#)

Introduced: 12/5/2016

Last Amend: 3/23/2017

Status: 4/4/2017-April 5 set for second hearing canceled at the request of author.

Location: 1/12/2017-S. E.Q.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: The State Air Resources Board has adopted a regulation to significantly reduce emissions particulate matter, oxides of nitrogen, and other criteria air pollutants from existing diesel trucks and buses operating in the state, commonly known as the Truck and Bus Regulation. This bill would require the state board, until January 1, 2023, to deem a person, as defined, to be in compliance with the Truck and Bus Regulation and would prohibit the state board from requiring a person to expend further moneys to achieve compliance with, or from seeking to enforce against that person, that regulation if specified conditions are met.

History:

2016

Introduced. Read first time. To Com. on RLS. for assignment. To print.

From printer. May be acted upon on or after January 5.

2017

Referred to Com. on EQ.

Set for hearing March 29.

From committee with author's amendments. Read second time and amended. Re-referred to Com. on EQ.

March 29 set for first hearing canceled at the request of author.

From committee with author's amendments. Read second time and amended. Re-referred to Com. on EQ.

Set for hearing April 5.

April 5 set for second hearing canceled at the request of author.

Notes 1: This proposed bill seems to say that if a "person" complies with air quality standards using approved technology and changes in air pollution control technology and equipment are subsequently specified by CARB, CARB cannot make a finding of non-compliance simply because that person does not install the specified equipment while still meeting the air quality emission standards.

[SB 51](#)

([Jackson D](#)) Professional licensees: environmental sciences and climate change: whistleblower and data protection.

Current Analysis: 04/03/2017 [Senate Environmental Quality \(text 3/28/2017\)](#)

Introduced: 12/5/2016

Last Amend: 3/28/2017

Status: 4/5/2017-From committee: Do pass and re-refer to Com. on JUD. (Ayes 5. Noes 2.) (April 5). Re-referred to Com. on JUD.

Location: 4/5/2017-S. JUD.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law provides for the licensure and regulation of various professions and vocations by certain entities within state government. Current law establishes various grounds upon which these entities may take disciplinary action against a licensee to suspend or revoke a license. This bill would prohibit these licensing entities from taking disciplinary action, including disbarment, suspension, loss of credential, registration, or other

professional privilege, against a public employee or employee of a government contractor, subcontractor, or grantee, as defined to include those persons working in the environmental sciences and climate-change-related fields, in connection with actions taken by that person to report improper governmental action or communicate the results of or information about scientific or technical research in a scientific or a public forum or with the media.

History:

2016

Introduced. Read first time. To Com. on RLS. for assignment. To print.

From printer. May be acted upon on or after January 5.

2017

Referred to Com. on B. & F.R.

Withdrawn from committee. Re-referred to Com. on RLS.

From committee with author's amendments. Read second time and amended. Re-referred to Com. on RLS.

Re-referred to Coms. on B., P. & E.D., EQ., and JUD.

Set for hearing March 27.

From committee: Do pass as amended and re-refer to Com. on EQ. (Ayes 8. Noes 1.) (March 27).

Read second time and amended. Re-referred to Com. on EQ.

Set for hearing April 5.

From committee: Do pass and re-refer to Com. on JUD. (Ayes 5. Noes 2.) (April 5). Re-referred to Com. on JUD.

Vote Events:

04/05/2017 SEN. E.Q. (Y:5 N:2 A:0) (P)

03/27/2017 SEN. B., P. & E.D. (Y:8 N:1 A:0) (P)

SB 53

(Hueso D) Natural gas vehicles.

Introduced: 12/5/2016

Last Amend: 3/20/2017

Status: 4/4/2017-Set for hearing April 18.

Location: 1/12/2017-S. T. & H.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar: 4/18/2017 1:30 p.m. - John L. Burton Hearing Room (4203) SENATE TRANSPORTATION AND HOUSING, BEALL, Chair

Summary: Current federal law authorizes a vehicle operated by an engine fueled primarily by natural gas to exceed these weight limits, up to a specified maximum, by an amount equal to the difference between the weight of the vehicle attributable to the natural gas tank and fueling system carried by that vehicle and the weight of a comparable diesel tank and fueling system. This bill would authorize a vehicle operated by an engine fueled wholly or partially by natural gas to exceed these weight limits by an amount, up to a specified maximum, equal to the difference between the weight of the vehicle attributable to the natural gas tank and fueling system carried by that vehicle and the weight of a comparable diesel tank and fueling system.

History:

2016

Introduced. Read first time. To Com. on RLS. for assignment. To print.

From printer. May be acted upon on or after January 5.

2017

Referred to Com. on T. & H.

Set for hearing April 4.

From committee with author's amendments. Read second time and amended. Re-referred to Com. on T. & H.

April 4 set for first hearing canceled at the request of author.

Set for hearing April 18.

SB 57

(Stern D) Natural gas storage: moratorium.

Current Analysis: 03/30/2017 [Senate Energy, Utilities And Communications \(text 2/14/2017\)](#)

Introduced: 12/8/2016

Last Amend: 2/14/2017

Status: 4/4/2017-VOTE: Do pass as amended, but first amend, and re-refer to the Committee on [Appropriations]

Location: 4/4/2017-S. APPR.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current law requires the State Oil and Gas Supervisor to continue the prohibition against Southern California Gas Company injecting any natural gas into the Aliso Canyon natural gas storage facility located in the

County of Los Angeles until a comprehensive review of the safety of the gas storage wells at the facility is completed. This bill would additionally require the supervisor to continue that prohibition until a specified root cause analysis of the natural gas leak from the facility that started approximately October 23, 2015, has been completed and released in its entirety to the public.

History:

2016

Introduced. To Com. on RLS. for assignment. To print.

From printer. May be acted upon on or after January 8.

2017

Read first time.

Referred to Com. on N.R. & W.

From committee with author's amendments. Read second time and amended. Re-referred to Com. on N.R. & W.

Set for hearing February 9.

From committee: Do pass as amended and re-refer to Com. on RLS. (Ayes 7. Noes 2. Page 172.) (February 9).

Read second time and amended. Re-referred to Com. on RLS.

Re-referred to Com. on E., U. & C.

Set for hearing March 21.

March 21 hearing: Testimony taken. Hearing postponed by committee.

Vote Events:

04/04/2017 SEN. E. U., & C. (Y:9 N:1 A:1) (P)

02/09/2017 SEN. N.R. & W. (Y:7 N:2 A:0) (P)

Notes 1: This bill proposes additional steps be taken by Southern California Gas Co. before the company can once store natural gas at its Aliso Canyon facility.

SB 71

([Wiener D](#)) Electricity: solar energy systems.

Current Analysis: 04/03/2017 [Senate Energy, Utilities And Communications \(text 3/1/2017\)](#)

Introduced: 1/9/2017

Last Amend: 3/1/2017

Status: 4/4/2017-VOTE: Do pass as amended, but first amend, and re-refer to the Committee on [Transportation and Housing]

Location: 4/4/2017-S. T. & H.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Current regulations on building standards require certain residential and nonresidential buildings to have a solar zone, as defined, on the roof of the building that is designated and reserved for solar electric or solar thermal systems and that meets certain specifications relating to minimum area, orientation, and shading, among other things. This bill would require a solar electric or solar thermal system to be installed in the solar zone of those residential and nonresidential buildings on which construction commences on or after January 1, 2018, during that construction.

History:

2017

Introduced. Read first time. To Com. on RLS. for assignment. To print.

From printer. May be acted upon on or after February 9.

Referred to Com. on RLS.

From committee with author's amendments. Read second time and amended. Re-referred to Com. on RLS.

Re-referred to Coms. on E., U. & C., T. & H., and APPR.

Set for hearing April 4.

Vote Events:

04/04/2017 SEN. E. U., & C. (Y:8 N:3 A:0) (P)

Notes 1: This bill seems to establish a mandate that solar generation be installed on all new construction after a certain date. From the bill analysis: "This bill requires installation of a solar energy generating system on each newly constructed building, with some exceptions."

SB 80

([Wieckowski D](#)) California Environmental Quality Act: notices.

Current Analysis: 03/27/2017 [Senate Environmental Quality \(text 2/14/2017\)](#)

Introduced: 1/11/2017

Last Amend: 2/14/2017

Status: 4/5/2017-Set for hearing April 17.

Location: 3/29/2017-S. APPR.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
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1st House	2nd House	Conc.			
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Calendar: 4/17/2017 10 a.m. - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS, LARA, Chair

Summary: *The California Environmental Quality Act requires the lead agency to mail certain notices to persons who have filed a written request for notices. The act provides that if the agency offer to provide the notices by email, upon filing a written request for notices, a person may request that the notices be provided to him or her by email. This bill would require the lead agency to post those notices on the agency's Internet Web site. The bill would require the agency to offer to provide those notices by email. Because this bill would increase the level of service provided by a local agency, this bill would impose a state-mandated local program.*

History:

2017

Introduced. Read first time. To Com. on RLS. for assignment. To print.

From printer. May be acted upon on or after February 11.

Referred to Com. on EQ.

From committee with author's amendments. Read second time and amended. Re-referred to Com. on EQ.

Set for hearing March 29.

From committee: Do pass and re-refer to Com. on APPR. (Ayes 5. Noes 0.) (March 29). Re-referred to Com. on APPR.

Set for hearing April 17.

Vote Events:

03/29/2017 SEN. E.Q. (Y:5 N:0 A:2) (P)

Notes 1: *Usually, it is our understanding, land use agencies typically are lead agencies for projects. In the event however that an Air District becomes a lead agency under CEQA, these new notice provisions would be applicable to the District.*

[SB 146](#)

(Wilk R) *Water resources: permit to appropriate: protected species.*

Current Analysis: 03/23/2017 [Senate Natural Resources And Water \(text 2/17/2017\)](#)

Introduced: 1/17/2017

Last Amend: 3/20/2017

Status: 3/27/2017-March 28 set for second hearing canceled at the request of author.

Location: 1/26/2017-S. N.R. & W.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: *Under current law, the State Water Resources Control Board administers a water rights program pursuant to which the board grants permits and licenses to appropriate water. Current law prohibits the taking or possession of a fully protected fish, except as provided, and designates the unarmored threespine stickleback as a fully protected fish. This bill would prohibit the board from issuing on or after January 1, 2018, a new permit to appropriate water from any river or stream that has, or is reasonably expected to have, a population of unarmored threespine stickleback.*

History:

2017

Introduced. Read first time. To Com. on RLS. for assignment. To print.

From printer. May be acted upon on or after February 17.

Referred to Coms. on N.R. & W. and E., U. & C.

From committee with author's amendments. Read second time and amended. Re-referred to Com. on N.R. & W.

Set for hearing March 14.

March 14 set for first hearing canceled at the request of author.

Set for hearing March 28.

From committee with author's amendments. Read second time and amended. Re-referred to Com. on N.R. & W.

Set for hearing March 28.

March 28 set for second hearing canceled at the request of author.

Notes 1: *SB 146 has been gutted and amended again to the extent it originally dealt with the Alison Canyon natural gas leakage saga, then dealt with water resources, and now deals with protected species.*

[SB 174](#)

(Lara D) *Diesel-fueled vehicles: registration.*

Current Analysis: 03/23/2017 [Senate Transportation And Housing \(text 1/23/2017\)](#)

Introduced: 1/23/2017

Last Amend: 3/29/2017

Status: 3/31/2017-Set for hearing April 19.

Location: 3/29/2017-S. E.Q.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.			
								Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar: 4/19/2017 9:30 a.m. - Room 3191 SENATE ENVIRONMENTAL QUALITY, WIECKOWSKI, Chair

Summary: Curent law prohibits a person from driving, moving, or leaving standing upon a highway any motor vehicle, as defined, that has been registered in violation of provisions regulating vehicle emissions. This bill, effective January 1, 2020, would require the Department of Motor Vehicles to confirm, prior to the initial registration or the transfer of ownership and registration of a diesel-fueled vehicle with a gross vehicle weight rating of more than 14,000 pounds, that the vehicle is compliant with, or exempt from, applicable air pollution control technology requirements, pursuant to specified provisions.

History:

2017

Introduced. Read first time. To Com. on RLS. for assignment. To print.

From printer. May be acted upon on or after February 23.

Referred to Coms. on T. & H. and EQ.

Set for hearing March 28.

From committee: Do pass as amended and re-refer to Com. on EQ. (Ayes 8. Noes 0.) (March 28).

Read second time and amended. Re-referred to Com. on EQ.

Set for hearing April 19.

Vote Events:

03/28/2017 SEN. T. & H. (Y:8 N:0 A:5) (P)

[SB 249](#)

(Allen D) Off-highway motor vehicle recreation.

Current Analysis: 03/09/2017 [Senate Natural Resources And Water \(text 2/7/2017\)](#)

Introduced: 2/7/2017

Status: 4/4/2017-Set for hearing April 18.

Location: 3/14/2017-S. T. & H.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.			
								Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar: 4/18/2017 1:30 p.m. - John L. Burton Hearing Room (4203) SENATE TRANSPORTATION AND HOUSING, BEALL, Chair

Summary: Would revise and recast various provisions of the Off-Highway Motor Vehicle Recreation Act of 2003. The bill would expand the duties of the Division of Off-Highway Motor Vehicle Recreation. The bill would require the Director of Parks and Recreation to assemble a science advisory team to advise and assist the department and the division in meeting the natural and cultural resource conservation purposes of the act, as specified.

History:

2017

Introduced. To Com. on RLS. for assignment. To print.

From printer. May be acted upon on or after March 10. Read first time.

Referred to Coms. on N.R. & W. and T. & H.

Set for hearing March 14.

From committee: Do pass and re-refer to Com. on T. & H. (Ayes 7. Noes 2. Page 364.) (March 14). Re-referred to Com. on T. & H.

Set for hearing April 18.

Vote Events:

03/14/2017 SEN. N.R. & W. (Y:7 N:2 A:0) (P)

Notes 1: This bill dealing with off road recreational activity, although at this time not providing specifics, may have air quality implications.

[SB 563](#)

(Lara D) Residential wood smoke.

Introduced: 2/17/2017

Last Amend: 3/28/2017

Status: 4/5/2017-Re-referred to Com. on EQ.

Location: 4/5/2017-S. E.Q.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.			
								Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: Would establish the Woodsmoke Reduction Program to be administered by the State Air Resources Board, in coordination with air districts, to replace old wood-burning stoves with cleaner and more efficient alternatives in

order to achieve short- and long-term climate benefits and localized public health benefits, as specified. The bill would authorize moneys from the Greenhouse Gas Reduction Fund to be allocated for incentives offered as part of the program.

History:

2017

Introduced. Read first time. To Com. on RLS. for assignment. To print.

From printer. May be acted upon on or after March 23.

Referred to Com. on RLS.

From committee with author's amendments. Read second time and amended. Re-referred to Com. on RLS.

Re-referred to Com. on EQ.

Notes 1: This bill is new to the Districts watch list. The bill proposes a new program to mitigate emissions from wood burning fireplaces. We are now sure whether this has not been done previously in various Air Districts, however felt it was appropriate to include for informational purposes.

[SB 584](#)

(De León D) California Renewables Portfolio Standard Program.

Introduced: 2/17/2017

Status: 3/2/2017-Referred to Com. on RLS.

Location: 2/17/2017-S. RLS.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Summary: The California Renewables Portfolio Standard Program additionally requires each local publicly owned electric utility, as defined, to procure a minimum quantity of electricity products from eligible renewable energy resources to achieve the procurement requirements established by the program. The Legislature has separately declared that its intent in implementing the program is to attain, among other targets for sale of eligible renewable resources, the target of 50% of total retail sales of electricity by December 31, 2030. This bill would revise those legislative findings and declarations to state that the goal of the program is to achieve that 50% target by December 31, 2025, and for all electricity sold at retail to be generated by eligible renewable energy resources by December 31, 2045.

History:

2017

Introduced. Read first time. To Com. on RLS. for assignment. To print.

From printer. May be acted upon on or after March 23.

Referred to Com. on RLS.

Notes 1: De Leon SB 584 is new to your lists. The Senator proposes to legislate that California's RPS achieve 50% by 2025, instead of 2030, and by 2050, all electricity sold in California be generated from renewable sources.

[SB 615](#)

(Hueso D) Salton Sea restoration.

Current Analysis: 03/23/2017 [Senate Natural Resources And Water \(text 2/17/2017\)](#)

Introduced: 2/17/2017

Status: 4/5/2017-Set for hearing April 17.

Location: 3/28/2017-S. APPR.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar: 4/17/2017 10 a.m. - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS, LARA, Chair

Summary: Would require the Natural Resources Agency, by January 1, 2018, to develop a 10-year plan to implement the memorandum of understanding between the agency and the United States Department of the Interior entered into on August 31, 2016, and its addendum, entered into on January 18, 2017, and would require the agency to address certain issues in the plan. The bill would rename the Salton Sea Restoration Act as the "John J. Benoit Salton Sea Restoration Act."

History:

2017

Introduced. Read first time. To Com. on RLS. for assignment. To print.

From printer. May be acted upon on or after March 23.

Referred to Com. on N.R. & W.

Set for hearing March 28.

From committee: Do pass and re-refer to Com. on APPR. (Ayes 8. Noes 0.) (March 28). Re-referred to Com. on APPR.

Set for hearing April 17.

Vote Events:

SB 775**(Wieckowski D)** California Global Warming Solutions Act of 2006: greenhouse gas emissions reduction.

Introduced: 2/17/2017

Status: 3/28/2017-Set for hearing April 19.

Location: 3/9/2017-S. E.Q.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

Calendar: 4/19/2017 9:30 a.m. - Room 3191 SENATE ENVIRONMENTAL QUALITY, WIECKOWSKI, Chair

Summary: The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The act requires the state board to consult with other states, the federal government, and other nations to identify the most effective strategies and methods to reduce greenhouse gases, manage greenhouse gas control programs, and facilitate the development of integrated and cost-effective regional, national, and international greenhouse gas reduction programs. This bill would require the state board also to consult with local agencies for these purposes.

History:

2017

Introduced. Read first time. To Com. on RLS. for assignment. To print.

From printer. May be acted upon on or after March 23.

Referred to Com. on EQ.

Set for hearing April 19.

Total Measures: 61**Total Tracking Forms: 61****Articles of Interest:****CAPITOL ALERT**

APRIL 6, 2017 5:09 PM

Lawmakers undecided on gas-tax hike suddenly could get millions for their districts

BY TARYN LUNA AND ALEXEI KOSEFF

tluna@sacbee.com

With a self-imposed deadline on a \$52 billion transportation bill looming, Gov. Jerry Brown and legislative leaders on Thursday began striking deals giving nearly \$1 billion in road project funding to the districts of wavering lawmakers.

“I’m energized and doing everything I can to make sure California climbs out of this big hole,” Brown told reporters outside the Capitol.

Brown and legislative leaders had given themselves until Thursday to pass the largest road deal in California in more than a quarter century, widely cast as the first true test of Democrats’ ability to use a two-thirds majority in both houses won in the November election.

But by 4 p.m., it remained uncertain whether Democrats would be able to rally votes from two-thirds of the Legislature to pass the bill despite their supermajority. They were having particular difficulty with members representing districts that can shift parties depending on the election because the measure contains a gas tax increase.

Lawmakers began crafting a separate measure outlining spending for individual legislative districts, Senate Bill 132, and a spokesman for Senate President Kevin de León said he supported it.

The measure outlined \$500 million in funding to the district of Sen. Anthony Cannella, R-Modesto. It allocates \$400 million for an extension of a Bay Area commuter rail line, the Altamont Corridor Express, to Ceres and Merced and a \$100 million parkway project between the University of California, Merced, campus and Highway 99.

Canella's office declined to comment on the trailer bill or his vote.

The bill also earmarks \$472 million for the Riverside County Transportation Efficiency Corridor in Democratic Sen. Richard Roth's Riverside County district. The corridor overlaps with the Assembly District represented by Sabrina Cervantes, a Democrat who also lives in Riverside.

All three members represent swing districts.

Cervantes' office would not comment on whether the appropriation was part of a deal with the assemblywoman. Roth said he had yet to take a position on the bill.

Other Democrats were wavering, too.

Assemblyman Rudy Salas, D-Bakersfield, said he had not made up his mind yet on the transportation plan. He said he had been involved in conversations with legislative leadership and the governor, but would not say if they had offered any projects in his district to secure his vote.

"I'd love to have a proposal that Democrats and Republicans are both on," he said. "I'm just waiting to see what comes over."

Sen. Steve Glazer, D-Orinda, said he has yet to take a position on the deal as well. Senate leaders are working to secure the vote of Cannella, a Republican, because Glazer's support is doubtful.

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Read more here: <http://www.sacbee.com/news/politics-government/capitol-alert/article143222444.html#storylink=cpy>

Fearing Trump threat to state emissions law, California lawmakers plan a fight

□

BY SEAN COCKERHAM
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WASHINGTON

The Trump administration could move at any time to revoke California's right to impose stricter auto emissions standards than the federal government does, and the state's senators are already mounting a fight.

Congressional sources are hearing conflicting information on whether and when the Environmental Protection Agency will revoke California's waiver.

Initially the EPA action appeared imminent, but now there is some uncertainty, in part because the action would set up a legal showdown with California that President Donald Trump could lose.

The EPA is refusing to comment, with a spokeswoman saying, "We don't have any information to offer at this time."

California has signaled its willingness to fight Trump in court and has hired former Attorney General Eric Holder to assist with challenges to the president's policies.

No administration has tried to revoke an existing waiver issued under a Clean Air Act for California to set its own auto emissions standards. So there is no legal precedent for how a judge could rule, said Richard Frank, an environmental law professor at the University of California-Davis.

"It would be somewhat difficult and legally suspect for the Trump administration to try and withdraw a waiver that has been previously granted," Frank said.

Sen. Kamala Harris, D-Calif., said she'd been fearing EPA action since agency chief Scott Pruitt told her at his January confirmation hearing that he planned to review the waiver.

Harris noted in a Thursday interview that Pruitt was a champion of state sovereignty as Oklahoma's attorney general before Trump picked him to lead the EPA.

Now, Harris said, he is looking at telling California that it cannot enforce its own vehicle pollution standards "You can't talk out of both sides of your mouth," said Harris, a former attorney general of California.

Sen. Dianne Feinstein of California joined nine other Senate Democrats and Sen. Bernie Sanders, a Vermont independent, in a letter calling on Pruitt to keep auto pollution standards in place. Trump is expected to roll back the national fuel economy standards that were imposed during the Obama administration in line with California's rules.

The standards "enhance our national security by reducing our consumption of foreign oil. They will benefit consumers, saving them billions of dollars at the pump, and reduce our carbon pollution. It is critical that they remain in place," Feinstein and the other senators wrote.

The automotive industry has been lobbying against the rules, calling them too expensive. Automakers have written letters to the Trump administration saying the standards will be difficult to hit and will force them to produce more cars with higher gas mileage when less-fuel-efficient sport utility vehicles, trucks or larger cars are more popular.

California's ability to set its own auto pollution rules has been a centerpiece of its efforts to combat global warming. California has used the waiver to pressure auto manufacturers to build more efficient vehicles. Harris said the rules had been effective in creating a cleaner environment in the state.

"I'm very concerned. And remember that issues affecting California's consumers affect people around the country, especially when you are talking about auto emissions standards. Because we have almost 39 million people," Harris said. "The industry, in needing to conform to the California standards, has to then adapt, usually, their standards for everyone else."

Trump has made the auto industry a major focus since taking office, saying environmental rules are "out of control."

California started regulating air pollution in the 1960s before the federal Clean Air Act of 1970 was passed. The state has since received federal waivers to enact its own pollution rules, including tailpipe standards, which are stronger than the national rules.

The EPA has consistently granted California the waiver over the years. An exception was 2008, when the George W. Bush administration denied the waiver only to have the Obama administration approve it a year later.

A dozen states, including Massachusetts, have been allowed to adopt the stricter California standards.

"Attacking the California waiver is a recipe for chaos," said Sen. Edward Markey, D-Mass.

Air pollution reduction program faces budget ax from Trump administration

By [Steve Scauzillo](#), *San Gabriel Valley Tribune*

The Trump administration's plans to cut funding from the U.S. Environmental Protection Agency will threaten a grant program that

trucking, busing and construction companies say for years has helped them reduce smog from their vehicles.

The Diesel Emissions Reduction Act, first enacted by Congress in 2005 with broad, bipartisan support, was recently identified by the Office of Management and Budget as a program the White House could soon eliminate.

Through DERA, the EPA administers grants to companies seeking to swap out their old diesel engines for cleaner-burning models.
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Companies can also apply for funds to add exhaust traps to trucks and buses that prevent two key components of Southern California smog from being released into the atmosphere.

Over 10 years, the EPA has granted about \$700 million worth of DERA funds. The agency estimated the program has upgraded 73,000 vehicles or pieces of equipment and saved 450 million gallons of diesel.

President Donald Trump has called for cutting the EPA's budget by 24 percent and targeted DERA as a program that could be scrapped.

That prompted 20 large companies and trade groups — including Caterpillar, Volvo Group North America and the American Trucking Associations — to send a letter to new EPA Administrator Scott Pruitt in early March, asking him to spare the program.

“(DERA) provides incentives and helps people who otherwise wouldn't be able to retrofit their equipment,” said Allan Schaeffer, the executive director of the Washington, D.C.-based Diesel Technology Forum.

Schaeffer said California received the largest share — about \$70 million out of \$530 million total — of the program's grant money awarded nationwide between 2008 and 2015.

The EPA says DERA has directly helped reduce the two most deadly components of smog, called particulates and nitrous oxides. The highest concentrations of particulates were found in Riverside and San Bernardino counties, according to studies by the South Coast Air Quality Management District and the EPA. But critics of the program point out that the EPA may have been overstating DERA's benefits for years. They say the agency has not been able to provide comprehensive data proving the program's effectiveness.

A 2014 audit from the EPA's Office of Inspector General reviewed about \$26 million doled out to six grant recipients — all nonprofits or state agencies — and found they did not meet the program's requirements.

One of those state agencies was the California Air Resources Board. The board received nearly \$8.9 million to retrofit trains in the South Coast Air Basin, which covers the entire Los Angeles County metropolitan area.

The inspector general questioned nearly all of that money after finding that the grants to CARB “did not scrap or remanufacture replaced locomotive engines.”

The audit also noted CARB did not have data on how much fuel was actually saved through the program, relying on estimates instead. “As a result, the board does not have reasonable assurance of achieving projected emission reductions and human-health benefits,” the inspector general's office wrote in the audit.

Still, eliminating DERA could hurt efforts by local air pollution watchdogs to clean up Southern California's air.

Under a [just-passed smog cleanup plan](#), many environmental groups criticized the Southern California Air Quality Management District for not doing enough to rid the air of particulates and nitrous oxides, especially from the ports of Los Angeles and Long Beach.

Schaeffer said by phasing out DERA, the air district's plan will be even weaker in that category.

Another benefit of the program is advancement of new technology, the letter to the EPA stated. “This is technology that was pioneered by some of the best U.S. companies, companies that sell this technology to the rest of the world,” read the letter.

The DERA program was originally authored by Sen. George Voinovich, a Republican from Ohio and drew support from President George W. Bush. It received bipartisan support in 2005, passing in the U.S. Senate by a vote of 92-1.

“Regardless of what people are thinking of the EPA, this program has wide, bipartisan support from both sides of the aisle,” Schaeffer said.

The diesel truck suppliers, truck companies and others who have benefited during the past 10 years will lobby for the program in Congress and at the White House. The budget from the White House is considered, but Congress must adopt the final government spending plan. The letter, dated March 3, has not drawn a response from Pruitt or the White House, said Ezra Finkin, policy director of the Diesel Technology Forum.

“We're optimistic,” Finkin added.

UCSD scientists worry Trump could suppress climate change data

Gary Robbins and Joshua Emerson Smith

UC San Diego may accelerate plans to preserve its climate data due to growing concerns among faculty members that the Trump administration could interfere with their work.

Campus officials intend to discuss what they should do during a March 21 meeting at the school's Scripps Institution of Oceanography, whose research has been used for decades to shape climate agreements.

The ideas include real-time storage and protection of data that Scripps collects around the world — from the Antarctic to the Indian Ocean to California's coastline.

The situation at UC San Diego resembles efforts by scientists, librarians, environmental activists and others across the country to preserve climate data housed at colleges and on government websites.

Representatives of the University of Michigan and the Massachusetts Institute of Technology said they're worried that President Trump and his team could suppress information that's central to policy discussions, international treaties and business regulations.

In the past two months, the Trump administration has scrubbed mentions of climate change from several White House web pages.

It also has removed a variety of data from federal websites, making them available only through specialized requests. And it's aiming to impose double-digit cuts to a range of agencies, including those with deep involvement in climate science. But there's no evidence that Trump and his assistants have destroyed any climate data, and they haven't indicated any intention to do so.

The situation reflects how politicized climate-change discussions have become. As Trump uses his high profile to criticize the scientific community's main findings on climate change, researchers increasingly ponder worst-case actions by his administration.

The president has repeatedly denied the existence of global warming or cast doubt on it. He has called climate change an "expensive hoax" and said, "I am not a great believer in man-made climate change."

Scott Pruitt — head of the Environmental Protection Agency, the federal government's leading enforcer on climate-change issues — said last week that he doesn't believe carbon dioxide is a "primary contributor" to climate change.

The same remarks are fueling anxiety in research labs and stoking interest in political protests, including the March for Science, which is set to be held in Washington and other locations on April 22 — Earth Day.

UC San Diego, one of the nation's 10 largest research universities, sharpened its focus on climate data 18 months ago after learning that the federal government is trimming support for archiving such information.

But the apprehension about Trump's views on climate change have given a sense of urgency to that project, said those involved with the undertaking.

"It is a reaction to the concerns of the scholarly community and the scientific research community about the effect that the new presidency has vis-à-vis climate change, vis-à-vis any other of a number of things," said Brian Schottlaender, the university's head librarian. "The stakes are up. The stakes are high. There's more at risk now."

Margaret Leinen, the director of Scripps, said it would be "incorrect to say that this effort began with a reaction to concerns about the new presidency. Concerns about this presidency amplified concerns that were already present about stewardship of the rich data legacy that our [Scripps'] focus on observing the planet has left us."

Scripps has been a world leader on studying climate change since the 1950s, when Charles David Keeling began taking daily measurements of carbon dioxide in Earth's atmosphere.

His data became known as the Keeling Curve because it showed the buildup of CO₂ over time. That body of work helped lead to a consensus among most scientists that the rise in CO₂ — created by everything from factory operations to vehicle commuting — is a primary factor in man-made global warming.

Keeling's findings and other landmark discoveries by Scripps helped to shape the 1987 Montreal Protocol, which is meant to repair damage to Earth's ozone layer, and the 2015 Paris Agreement, which aims to get both developed and developing countries to reduce their greenhouse-gas emissions.

Some scientists believe that in the current political environment, such data could be suppressed or perhaps even destroyed, which in some cases could be illegal under federal law.

"There's a big difference between outright destroying of records and removing easy online access," said Anne Jefferson, a hydrologist at Kent State University who relies heavily on government data for her research. "If you take the data sets offline, you can effectively make

the request process so difficult that many people will give up.”

A number of grass-roots campaigns are scrambling to harvest climate data from government websites, including those for the National Oceanic and Atmospheric Administration and the National Aeronautics and Space Administration. These archiving efforts are being organized by The Libraries Network in coordination with the Data Refuge Project.

They’re a mix of ongoing campaigns as well as special events, such as those at the [University of North Carolina at Chapel Hill](#), MIT, [Harvard University](#), UC Davis, UCLA and UC Berkeley.

Data Refuge grew out of a push started in 2014 at the [University of Pennsylvania](#) to organize and store information relevant to environmental studies, according to its website.

Since December, the project’s website has been a hub for everyone from scholars to data nerds looking to volunteer their time at “data rescue events.”

“I see these efforts as reflecting a broader and deeper concern about the future of climate science under the Trump administration, a fear that is well founded given the likely direction of federal funding for climate science,” said David Victor, a professor of global politics at UC San Diego who has focused on climate change policy.

But he added: “I doubt that the worst fears of some climate scientists will actually happen. I doubt federal climate data will be deleted since that would be illegal in most circumstances.”

UC San Diego officials said they haven’t established a timeline for their university’s data preservation project.

Schottlaender, the librarian, said the project hasn’t required special funding because the chancellor had already made financial investments to expand data storage capacity at the school.

Why CalPERS is pouring millions into a Southern California water deal

BY DALE KASLER
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ROSAMOND: On the edge of the Mojave Desert, beneath 1,800 acres of scrubland and tumbleweeds, California’s giant public pension fund is trying to make a killing in the water business.

CalPERS is the primary owner of the [Willow Springs Water Bank](#), an underground reservoir that could hold as much water as Folsom Lake when fully developed. Its customers, mainly a collection of Los Angeles-area water agencies, pay fees to store water beneath the Kern County soil to bolster their supplies during dry periods.

The water bank, one of several in this part of the state, operates on a simple concept: Agencies that get water from the California Aqueduct divert it about 8 miles east via pipeline to Willow Springs, where it percolates into the natural aquifer below. When they need it back, they extract it through a pumping station, which returns it to the aqueduct.

“They make a deposit, or they can make a withdrawal,” said Paul Mouchakkaa, managing investment director for real assets at the [California Public Employees’ Retirement System](#).

CalPERS’ investment in Willow Springs, which opened for business six years ago, underscores the enduring monetary value of water in the West. Even as the [drought loosens its grip](#) after five-plus years, experts say water will remain a scarce commodity in the long run and a source of considerable temptation to investors.

“We’re trying to help the state’s water problems. ... It can have a public benefit,” Mouchakkaa said. “But it’s meant to have a private return. It’s a private investment vehicle.”

By the lofty standards of the California Public Employees’ Retirement System, the investment in Willow Springs is just a toe in the water – about \$30 million out of a portfolio of \$310 billion, Mouchakkaa said. It’s attracting notice, however.

Water policy experts say the presence of CalPERS, the nation’s [largest public pension fund](#), is a sign that big investment dollars are starting to pour into a business dominated by government regulatory agencies.

“We’ve seen ... funds like CalPERS or other institutional investors looking at water, but the actual amount of investment has been quite small,” said Clay Landry of [WestWater Research LLC](#), an Idaho company that advises investors on water deals. “You’re just starting to see institutional investment come into the sector.”

CalPERS and its partner in the water investment, Los Angeles [real estate firm CIM Group](#), shouldn’t expect profits to flood in overnight. After years of drought, water agencies haven’t had a lot of surplus water to store, and demand for space in Willow Springs has built gradually. As of 2015, water agencies had purchased 55,000 acre-feet of space in the bank, or about 10 percent of the total available space, according to a memo filed with the California Water Commission. CIM officials declined to provide an updated figure or to discuss its fee

arrangement with the participating water agencies.

Willow Springs – originally called [Antelope Valley Water Bank](#), after the area of the Mojave where it's located – was conceived more than a decade ago. Phase 1, which can hold 500,000 acre-feet of water, was built in part with a \$5 million grant from the 2009 federal economic stimulus package, according to state documents.

The bank sits in a desolate stretch of Kern County, an hour southeast of Bakersfield just above the Los Angeles County line. The landscape is barren, interrupted by pumping stations, man-made berms surrounding the percolation ponds and the occasional snake. Some of the water lies beneath solar panels, which are owned and operated by a subsidiary of Warren Buffett's Berkshire Hathaway that paid the CalPERS partnership for the right to build there.



SHARON OK

Plant life, such as it is, generally doesn't last long. CIM brings in sheep to keep the vegetation to a minimum. Off in the distance to the north is an armada of windmills; the area is so windy that waves sometimes form in the percolation ponds when water is being injected into the ground.

Bleak, but also perfect for the task at hand.

Kern County is California's water bank capital, with 15 groundwater storage projects, and that's not by accident. The county sits on an enormous aquifer, with a total of 10 million acre-feet of capacity, and is blessed with gravelly soils that are ideal for letting water seep into the ground. Most of the banks, including Willow Springs, are within easy pumping distance of the California Aqueduct, the state-run superhighway of California's water delivery system.

CalPERS and CIM want to double Willow Springs' storage capacity to 1 million acre-feet of water, slightly more than [Folsom Lake holds](#). An acre-foot is about 326,000 gallons.

That will take work. The partnership will need to build more wells, pumping stations, pipelines and "percolation ponds," the gently sloped basins that temporarily hold customers' water as it seeps into the aquifer.

The estimated cost to complete the project is \$200 million. CalPERS and CIM plan to apply to the state for up to \$100 million in proceeds from Proposition 1, the [\\$7.5 billion bond](#) approved by voters in 2014 to build water infrastructure projects.

The [California Water Commission](#), which will allocate the Proposition 1 dollars, doesn't expect to make a decision until sometime next year. The commission says the awards will be based on a variety of factors, with a requirement that projects must provide "public benefits" such as improvements to the state's ecosystem. Willow Springs, in a preliminary application, says the bank would aid the environment by reducing the need to pump water to Southern California through the fragile Sacramento-San Joaquin Delta.

Commission spokesman Chris Orrock said CalPERS' status as a state agency won't give the Willow Springs application a leg up. "We're looking at: 'What are we getting in return?'" Orrock said.

Water banks have their downsides; moving water in and out is cumbersome compared to above-ground reservoirs.

But Jolly Singh, a CIM vice president, said underground storage has advantages, too. For starters, groundwater basins aren't prone to evaporation. And there are no dangers to the surrounding area, as was the case in the recent crisis at Lake Oroville.

Willow Springs "benefits from being an underground water storage facility, as compared to surface reservoirs that have issues with ongoing evaporation loss and with none of the safety risks of big dams," Singh said.

California vs. Washington: Smog a new battleground

BY DAN WALTERS

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There seems to be no end to the issues in which blue California finds itself at odds with a Republican-controlled federal government – and smog is a new one.

President Donald Trump, saying he wants a "common sense" approach, signaled this week that he will roll back auto fuel economy standards the Obama administration had finalized just before handing off to Trump.

The rules had enshrined a landmark deal in which the auto industry agreed, albeit reluctantly, that cars sold to the entire nation would have the same fleet mileage standards – 54.5 miles per gallon – as California wants for 2022-25 model years. That's a 50 percent increase from the current mileage standard.

Although automakers had agreed to a 50-state standard, Trump's unexpected victory last year gave them an opening to plead that the 2022-25 rules are unrealistic. During an era of historically low fuel costs, motorists are opting for SUVs and other relatively low-mileage vehicles, which also are the most profitable to produce and sell.

For more than four decades, California has been authorized to adopt, via specific "waivers," emission standards higher than those imposed on other states under the Clean Air Act, in recognition of its chronic smog problems.

The state has received more than 100 waivers for its rules, which also have become integral elements of its efforts to reduce emissions of carbon dioxide and other "greenhouse gases" considered to be causes of climate change, as well as smog-causing pollutants.

There had been some hints that the Trump administration would attempt to rescind California's waivers, but that doesn't appear to be an immediate threat. However, if Trump adopts a lower mileage standard than California for 2022-25, the state may have to seek another waiver and that could touch off a battle.

Conversely, if the state winds up going it alone on 2022-25 mileage rules, it would create a dilemma for automakers – and indirectly for California consumers.

The manufacturers could voluntarily adopt the California rules in their nationwide product mix. They could specifically tailor cars for sale to Californians, who buy about 2 million new cars a year, and the other states that follow California rules – together roughly 40 percent of the new-car market. Or they could limit sales of higher-emitting vehicles in California so that their fleet averages met state rules.

So what will happen?

There will be cross-country exchanges of rhetoric, such as Gov. Jerry Brown's depiction of "an unconscionable gift to polluters," California will try to intervene in a suit filed by automakers against the Obama-era rules and everyone will wait to see what Trump does.

The showdown will come if, and when, California seeks a waiver for higher mileage standards, and given the years-long lead times in manufacturing, it could come quickly. Current law calls for the national rules to be adopted this year and simply waiting out what

Californians may hope is a one-term presidency may not be an option.

Everyone is getting ready to rumble.

□

Brown administration pressures lawmakers to support road-repair funding plan as support lags for tax hike bill

With a road-repair funding plan lagging in support among Democratic lawmakers, the Brown administration is stepping up pressure on them to reach a deal before the Legislature goes on spring break April 6.

A bill that would raise the gas tax and vehicle fees to provide \$5.5 billion annually to fix crumbling roads and improve mass transit needs a two-thirds vote, which would require all Democratic senators to support it given that the Republicans oppose the tax increases. But two Democrats — Sens. Richard Roth of Riverside and Henry Stern of Woodland Hills — did not vote for the bill, Senate Bill 1, in committee, and a third, Sen. Steve Glazer of Concord, indicated Friday that he is not yet on board.

“The senator is not yet in support of the proposed spending plan or bill,” said Steven Harmon, a spokesman for Glazer. Asked what Glazer wants in the bill to earn his support, Harmon declined to elaborate except to say “he’s communicated his views to leadership.” Roth abstained from the committee vote on SB 1 even though he acknowledges that a substantial investment is needed in transportation funding, according to spokesman Shrujal Joseph.

“However, historically Riverside County hasn’t always received its fair share of state dollars for its transportation projects,” Joseph said. “Indeed, the majority of projects have been funded through local ‘self-help’ measures. As a result, it is critical that any new funding proposal result in greater equity for our region.”

Joseph also said it is “important for folks to know where their tax dollars are being spent” and which projects will get the proposed revenue.

“This is something that has yet to be conveyed to the Senator or, quite frankly, to the public,” he said.

Some other senators have complained that the current legislation does not have enough money for mass transit and other alternatives to roads.

Meanwhile, Brian Kelly, who is Gov. Jerry Brown’s appointee as secretary of the state transportation agency, is stepping up pressure on lawmakers to agree to a bill.

On Friday, Kelly’s agency sent out a tweet that said “You shouldn’t have to rely on luck to drive on CA’s roads safely. Tell your legislators it’s time to #FIXCAROADS!”

On Monday, Kelly is scheduled to appear with Mayor Eric Garcetti at a rally in Los Angeles being staged by the advocacy group Fix Our Roads, which said in a news release that the event is being held “to urge legislators in Sacramento to quickly pass a transportation funding package by April 6.”

The group said in the release that immediate action is needed to address the backlog of repairs.

“The longer the Legislature delays on a transportation funding package, the worse the damage gets and the more it costs to fix,” the release said. “Participants in the news conference will call on legislators to set aside any differences and quickly pass a transportation funding bill by April 6.”

Governor Brown, Oil Industry Share Interest In Cap-And-Trade Extension

Gov. Jerry Brown and the oil industry are both pushing to preserve California’s struggling cap-and-trade program. But that will require support from Democratic lawmakers who have doubts about the program.

The program allows companies to choose between lowering emissions and purchasing a limited number of credits for them. Sales of the credits have faltered over the past year, which analysts partly attribute to uncertainty about the program. It expires in 2020 and faces a legal challenge from businesses.

Brown wants a supermajority of lawmakers to pass an extension that could also nullify the lawsuit.

“I don’t think people understand if you don’t do cap-and-trade you just order, command, reduce greenhouse gasses,” Brown told Capital Public Radio. “Take that machine and run it less or don’t run it at all. I don’t think they want to do that.”

The passage of new, more stringent climate change goals last year means, without cap-and-trade, air regulators could just tighten emissions limits.

The oil industry has been a frequent foe of carbon limits, including the most recent goals--but it supports using cap-and-trade to meet

them.

"It's the only path," says Cathy Reheis-Boyd, president of the Western States Petroleum Association. "There is no other way to even think about meeting these aggressive targets, without some kind of cost-containment like the trading part of cap-and-trade provides." But a growing faction of lawmakers has signaled they're dissatisfied with the hands-off nature of the program. Democratic Assemblywoman Cristina Garcia led 15 lawmakers in introducing a bill that would extend cap-and-trade, but only along with a demand that the state more directly intervenes in disadvantaged communities that have poor air quality. "We have done a lot to reduce carbon emissions, but it hasn't been equitable across the whole state," Garcia says, when announcing the measure.

The oil industry will oppose new regulations. Reheis-Boyd suggests, instead, using cap-and-trade revenues to fund air quality projects in low-income communities. But much of that money is tied up in projects backed by the governor and legislative leaders, including high-speed rail.

Without a deal that works for all factions, it's unlikely a cap-and-trade extension can receive the two-thirds vote it will require.

Sen. Feinstein suggests Gorsuch would undermine EPA on fuel mileage standards

The heated dispute between California and the Trump White House over aggressive federal fuel mileage standards emerged as an issue in the confirmation hearing of Supreme Court nominee Neil M. Gorsuch.

Much to the dismay of California, the Trump administration has put on the shelf fuel rules that would require vehicles to average 54 miles per gallon by 2025. The state, which sees the rules as key to combating climate change and air pollution, is threatening to invoke a federal waiver it argues would allow it to continue enforcing the higher standard. The Trump administration has suggested it could try to block the state from doing that.

At the Gorsuch hearing, the issue arose as California Sen. Dianne Feinstein grilled the nominee on his broader approach to government and the power of the bureaucracy. Gorsuch is among a group of conservative jurists who advocate limiting the authority of federal regulators to draft rules when there is no clear congressional mandate or when there are conflicting laws on the books.

Feinstein said that approach would prevent Environmental Protection Agency scientists from continuing to update the mileage standards as appropriate.

"What we said in the legislation was science would prevail," Feinstein said. "That is still the law. It is working. What is wrong with that? How else could we have done it?"

Gorsuch suggested that Feinstein misunderstood his view of when the bureaucracy should be reigned in.

"I am not aware of anything wrong with that," he said. "I never suggested otherwise." But then he pointed to an immigration case he had presided over in which there were conflicting laws on the books. His court had ruled that immigration authorities should follow the first of the two laws in such cases, but he said immigration authorities ignored the court's guidance, creating a legal mess for the immigrant seeking entry into the United States. He suggested the case was an example of the problems that can arise when agencies are given too much deference in how to interpret laws.

12,000 Imperial County children already have asthma. Will Salton Sea make it worse?

BY MARISA AGHA
Special to The Bee

Edna Ruiz saw her two-year-old daughter Estellah's lips start to turn purple as the child gasped for air. She had asthma attacks before, but this was the worst.

When they arrived in the emergency room of El Centro Regional Medical Center about 10 p.m. in January, Estellah had a temperature of 104 degrees.

"It's really scary to know when she's coughing, she could stop breathing," Ruiz said.

The doctor confirmed Estellah's asthma diagnosis and prescribed medications that helped her improve and return home.

But her mother lives in fear of the next of about a dozen trips to the hospital for asthma since Estellah was an infant.

In Imperial County, Estellah is one of about 12,000 children diagnosed with the chronic respiratory illness. The county had more than double the state's rate of asthma-related emergency room visits and hospitalizations for children, between ages 5 and 17, in 2015,

according to state public health figures.

Another threat looms at year's end, when mitigation water transferred to the deteriorating Salton Sea, which straddles Imperial and Riverside counties, will end as part of an agreement with the state. The result over time, scientists say, will expose much of the sea's bottom, potentially releasing considerably more harmful dust into the air.

In an e-mailed statement, the California Department of Public Health wrote, "It is unclear whether the levels of exposures associated with increased dust from the Salton Sea might increase asthma exacerbations or incidence."

When mitigation water flow to the sea ends, the full impact of the accelerated decline will not be felt immediately – perhaps not until 2020, said Bruce Wilcox, assistant secretary of Salton Sea policy for the [California Natural Resources Agency](#). State lawmakers last year approved \$80.5 million for the first phase of the [Salton Sea Management Program](#), which will start to address dust control and wildlife habitat on exposed ground around the perimeter of the sea.

A draft of a 10-year plan for the Salton Sea was released March 16. A series of workshops seeking public input on the \$383 million plan will begin soon, Wilcox said. Construction on that first phase would begin in late 2018, he said.

But scientists, health care professionals, local government officials and parents worry now what the environmental effects of the sea's decline may mean for the respiratory health of an already stressed region's children over time.

The increase in windblown dust from evaporation and an exposed lake bed may lead to more wheezing, asthma attacks and respiratory infections and hurt developing lungs in children, said Shohreh Farzan, assistant professor of preventive medicine in the division of environmental health at the [University of Southern California's Keck School of Medicine](#).

"We do think that children are especially vulnerable to the effects," Farzan said, adding that others at-risk include the elderly, anyone with existing asthma or other chronic illnesses, those with already compromised immune systems and people who work outdoors.

Asthma causes wheezing, tightness in the chest and coughing, particularly at night or early in the morning, said Ying-Ying Meng, co-director of the chronic disease program at the [UCLA Center for Health Policy Research](#). The disorder may be caused by genetic or environmental factors or both. Some children outgrow asthma, which cannot be cured, but managed through medication, constant monitoring of your environment and regular visits to a physician, she said.

"You really need to have an asthma self-management plan and tailor it to the patient's need," Meng said.

The receding Salton Sea is not the only factor contributing to the Imperial Valley's poor air quality and high rates of hospitalizations and emergency room visits for children with asthma. Experts also cite the proximity to the border and its accompanying pollution from lines of cars and trucks emitting exhaust, the pesticides from commercial farms and the area's desert heat and heavy winds. Additionally, the area has a shortage of primary care health services – parents like Ruiz cannot always get appointments when they need them. Imperial County, California's poorest based on per capita income, stretches across the southeastern part of the state. Here, about 25 percent of the county's 170,000 residents live in poverty, according to census data.

Graciela Ruiz noticed the change in the air and her asthma as soon as she moved to the area from Northern California. She did not have to take medication for years, but now has to take her asthma medicine daily.

"When you come to the Imperial Valley, you don't see anything green ... you just see dust everywhere," said Ruiz, a community health worker with the Imperial Valley Child Asthma Program.

Through the program, Ruiz visits homes to educate families about how to control asthma. She conducts environmental assessments in which she looks for triggers such as mold in the bathroom or under kitchen sinks, the presence of fans or broken air conditioners, pets, the types of cleaning materials used and air filters that require changing. She said for many parents, already struggling with poverty, maintaining consistency on all these measures is hard.

That's why home visits are crucial for many of the region's families, from making sure the right inhaler technique is used to checking for gas leaks, said Esther Bejarano of Comit  Civico Del Valle, a nonprofit in Brawley. She just completed running a temporary home visitation program for 200 families, and works with ten schools on a program that involves daily air quality monitoring and using brightly colored flags to alert the community about whether students can safely be outdoors.

Bejarano says she reaches only a small part of the population that needs help.

"There's a huge gap," Bejarano said. "What happens to the other thousands of families in Imperial County and their children who suffer from uncontrolled asthma on a daily basis?"

Lack of access to pediatric pulmonary specialists is another challenge, said Leticia Ibarra, director of programs for [Clinicas de Salud del Pueblo](#), also in Brawley. So, the clinic helps to train primary care doctors to be able to address asthma in a more specialized way, she said.

“We need our primary care providers to be more prepared to be able to treat these more serious cases,” Ibarra said.

Amid the concern about what lies ahead, many are collecting data about the region’s existing air quality and residents’ health to measure against what may come.

The [California Health Interview Survey](#), conducted by UCLA’s Center for Health Policy Research, for the first time will expand to include an additional sampling of about 350 people who live in areas on the Salton Sea – like Bombay Beach and Desert Shores, and the survey will include more questions about respiratory health, said Paula Kriner, epidemiologist with the Imperial County Public Health Department.

The survey will “give us a baseline of the Salton Sea communities,” said Imperial County Board Supervisor Ryan Kelley, who was born and raised in Brawley and advocated for the broader survey.

Similarly, Farzan of USC is co-leading a study that is analyzing the level of toxic contaminants in dust samples collected by the sea and health risks to those who live there. Results are expected this summer.

And the [Imperial County Public Health Department](#) will receive an \$850,000 grant over three years to help bolster coordination, communication, data-sharing and leveraging of resources to address asthma in the region.

The outcome of current pilot projects to address wildlife habitat and dust suppression along the sea will help inform the construction that starts in 2018, said Wilcox, the assistant secretary of Salton Sea policy and former Imperial Irrigation District environmental manager. The state is playing catch-up on the Salton Sea, he said, in part due to litigation, the recession and differing opinions among stakeholders about how to address the sea’s fate. He said the \$80.5 million pledged so far won’t cover all that needs to be done.

Many are frustrated by the delays.

“We are in the corner of California – the farthest point from Sacramento. We don’t have that access to Sacramento, like San Mateo or San Francisco counties,” said Kelley, the county supervisor. “That’s the hardest part for us. Down here we don’t get that attention. We don’t have the resources of Los Angeles or Orange counties.”

At home in Calexico, Edna Ruiz, who is studying to become a nurse, remains vigilant to prevent Estellah and husband Efrain, who also has had asthma since birth, from having another attack. Though she has a 10-month-old baby, Emanuel, Ruiz keeps a baby monitor in Estellah’s room so she can see and hear her daughter at night. The family had to give away their dog. There are no plants or stuffed animals in the house.

But on a good day, Estellah loves to run around the yard, arms extended, and pretend she’s an airplane – a sight her mom relishes.

“My biggest fear is for her to get worse – to get to the point that she can’t enjoy what she does now,” Ruiz said.

□

Trump moves to roll back pollution standards for cars, setting up conflict with California

BY DALE KASLER AND RYAN SABALOW
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President Donald Trump started the process Wednesday of rolling back federal rules designed to limit emissions of carbon dioxide and other greenhouse gases from automobiles, taking aim at air pollution and climate change rules that originated in California.

Already at odds with California leaders over immigration and health insurance, Trump said his administration would launch a formal review of greenhouse gas standards that were launched in California and then adopted nationwide in 2009 by former President Barack Obama. Automakers had complained to Trump that the regulations were costly, and the president signaled the review would result in less stringent standards.

“We are going to ensure that any regulations we have protect and defend your jobs, your factories, we’re going to be fair,” Trump told autoworkers at a rally in Ypsilanti, Mich. He didn’t mention California or its role in initiating the greenhouse gas rules. His order affects cars made in the model years 2022 through 2025.

Trump’s announcement sparked an outcry in California, where officials said they would fight to maintain strict tailpipe emission rules. Gov. Jerry Brown, in a letter to U.S. EPA Administrator Scott Pruitt, called the president’s decision to review the federal standards “an unconscionable gift to polluters.”

Former Democratic state Sen. Fran Pavley, who authored the bill that started California’s effort to lower greenhouse gas emissions, said she was disappointed that the regulations, which have resulted in improvements to fuel mileage, might unravel. “All these cars are better

because of these laws,” she said. “They save motorists money at the pump, and they’re less polluting.”

Trump’s move won’t necessarily trigger a showdown with California. He didn’t specifically address a previous threat, raised by Environmental Protection Agency Administrator Scott Pruitt, that the administration might revisit [California’s right](#) to impose its own tougher standards on greenhouse gas emissions.

That suggests California, and a dozen states that have the authority to follow California’s lead, could chart a separate course from the rest of the country and stick with stricter rules, according to officials with the California Air Resources Board. The mix of cars sold in California would be altered dramatically as a result.

Still, conflict with Washington is a strong possibility. Because of gray areas in federal law, the Trump administration could determine that California would have to fall in line with federal standards, said Richard Frank, an environmental law professor at UC Davis. California surely would challenge that in court. “It’s likely going to precipitate litigation,” Frank said.

Environmental law expert Deborah Sivas at Stanford University agreed: “There’s no way California’s going to roll over on this.”

Anticipating Trump’s move, the state intervened this week in a lawsuit filed by automakers trying to undermine the existing federal greenhouse gas standards. The state argued in court papers that “any weakening or delay of the national standards will result in increased harms to our natural resources, our economy, and our people.”

California took the lead on cars and climate change in 2002, when former Gov. Gray Davis signed Pavley’s AB 1493, which called for a significant decrease in carbon dioxide and other greenhouse gas emissions. The law survived a legal challenge by the auto industry. But the rules couldn’t take effect without a waiver from the federal government.

The Clean Air Act of 1970 says air pollution standards are set by the federal government. But the law, recognizing California’s severe pollution problems, gives California the right to set tougher standards within its borders, if it gets a waiver from the EPA. Also, it allows other states to adopt California’s rules as their own. The feds have granted dozens of waivers over the years.

Former President George W. Bush refused to grant California the waiver it requested on greenhouse gases, the only time a waiver has been denied. Obama reversed that decision shortly after taking office – and went further. He made the California rules the law of the land, though the regulations were to be phased in more slowly than California’s law had called for.

Earlier air pollution rules imposed by California to reduce smog-forming particles and other pollutants generally required automakers to install special gadgets on cars sold in the state. But reducing emissions of carbon dioxide and other greenhouse gases requires a different approach; Sivas said the only practical way to reduce those emissions is by ramping up fuel mileage standards.

Under a complicated settlement with the auto industry announced by Obama in 2009, average vehicle mileage standards were raised gradually for the first few years, she said. But between now and 2025, fuel mileage – meaning the average for a fleet produced by one carmaker – is supposed to increase from 36 miles per gallon to 54 mpg.

“It’s like a hill, it’s going to keep getting steeper,” said Karl Brauer, an auto industry analyst with Kelley Blue Book.

The rules already are locked in for model years 2017 through 2022; Trump’s action will result in a review of the rules for 2022 through 2025.

If California continues to impose standards that exceed the nation’s, Sivas and Hwang said, automakers wouldn’t have to make two sets of cars to comply with each set of regulations. Rather, they would need to dramatically change the mix of cars they sell in different states to achieve fuel mileage results that comply with the greenhouse gas rules. Carmakers would have to sell a lot more high-mileage vehicles in California than in states that adhere to the national standards.

Roland Hwang, director of energy and transportation at the Natural Resources Defense Council, said Brown and Mary Nichols, the chairwoman of the California Air Resources Board, will be influential in determining the outcome of the controversy. Nichols has suggested that CARB is willing to go along with tweaks to the greenhouse gas standards, but not wholesale revisions.

“California’s a key player here, no doubt about it,” Hwang said. “The pathway to weakening the standards – that path goes through California.”

What does California need to meet its climate-change goals? For starters, denser housing and less driving, report says

California will need billions of dollars in new funding for housing and transportation improvements, and to make extraordinary changes to state and local government policies, in order to meet its new 2030 climate change goals, according to new reports from state and regional government officials and UC Berkeley researchers.

Californians will need to cut their driving by 1.6 miles per day, which they could accomplish through telecommuting, carpooling, biking or taking transit to work once a month as well as replacing short car trips with walking and combining multiple errands into one trip, [state climate regulators said](#).

Car and truck pollution makes up the largest portion of California's carbon emissions, and residents will need to drive less to reach the state's goal of reducing greenhouse gas emissions by 40% below 1990 levels by 2030. These driving reduction numbers also assume that the state will substantially boost the number of electric cars on the road and cut carbon from fuel.

To get there, representatives from the Southern California Assn. of Governments and other regional agencies told climate regulators at a meeting last week that they needed a lot of new money for transportation and housing — as much as \$5 billion in the Sacramento region alone — as well as policy changes that could include tolls and other charges for people to drive in congested areas.

Since 2008, regional governments have been responsible for developing plans to reduce greenhouse gas emissions by aiming to redirect development from sprawling outward to denser development into cities, adjacent suburbs and neighborhoods near mass transit lines. But regional governments have to revise their plans to meet the new targets now that the 2030 climate change goals passed the Legislature last year.

Beyond funding, state officials need to be sensitive to how Californians are used to getting around every day, said Hasan Ikhata, the executive director of the Southern California Assn. of Governments, which is responsible for implementing a climate change blueprint in Los Angeles, Imperial, Orange, Riverside, San Bernardino and Ventura counties.

"We have changed the discussion in the state of California in a good way about how to sustain the future," Ikhata said at the meeting. "But at the same time we still have 40 million Californians that need to get from A to B. And we can't overnight think they're all going to bike or use transit. Some of them will drive."

Rather than expecting all Californians to drive less, the state could see substantial driving reductions if it changed policies to funnel new housing into cities, according to [a study released Monday by public policy think tank Next 10](#).

The study, written by UC Berkeley environmental and housing researchers Ethan Elkind, Carol Galante and Nathaniel Decker, compared the effects of concentrating all future housing growth into areas that have already been developed with a scenario where only 60% of new homes were built in those locations, which is what happened from 2000 to 2015.

The study found that residents living in already developed neighborhoods would drive about 18 fewer miles every weekday than those living outside those communities.

California also would see higher annual economic growth, greater tax revenue and lower home construction costs from a more dense development strategy, and households would have lower monthly costs through reduced transportation and utility bills, the study said. "We can make a significant contribution to climate-change goals and the economy," Galante said.

Under the scenario envisioned by the study, substantial development would occur in urban cores — housing density in San Francisco would increase by 30%, for example — but smaller existing cities would need to grow as well. More communities would have to look like Pasadena or Oakland's Rockridge neighborhood, Elkind said.

"We're not talking about skyscrapers towering over people's homes," he said.

State and local policies that restrict housing growth in areas that have already been developed, especially along the coast, will need major changes, the report said. Among other policies, the report recommended local and state governments consider:

- Reducing parking requirements and permitting times for housing, especially in existing high-density neighborhoods
- Giving cities that meet high-density housing goals more tax dollars
- Creating urban growth boundaries to limit sprawl

"Land use is probably the most over-regulated sector of our economy," Elkind said.

"There's no question we need to do some relaxing of our restrictions in our coastal communities."

□

State Gas Tax Plan Following Path of Federal Health Care Bill

By **Joel Fox**

The governor and legislative leaders came out from behind closed doors with a transportation tax and road fix plan and demand to pass the measure through the legislature in one week. Feels a lot like the federal experience with the health care reform bill. And, like that measure, despite one party controlling the executive and legislative branch, the bill might not find necessary support.

The campaign to pressure wavering legislators to get behind the bill kicked off yesterday in Concord with a lineup of Governor Jerry Brown, Assembly Speaker Anthony Rendon and Senate President pro tem Kevin De León teaming up with union members to visit Senator Steve Glazer's district and convince Brown's one-time aide to publicly embrace the tax increase.

I seem to remember unions opposed Glazer when he first ran because of his stand against BART strikes. Different time and different unions, perhaps, but Glazer is still behind that issue. There are indications that Glazer is holding out for a no-strike provision in the transportation bill before he decides if he will support it.

While Brown, De León and Rendon will play old-fashioned political hard ball with legislative members in attempting to secure the needed two-thirds vote to pass the tax increases, ultimately individual legislators are going to have to be satisfied that their constituents will swallow the tax increase.

Voting patterns and attitudes have changed since Gov. Gray Davis was kicked out of office in great part because he increased the vehicle tax. While just about everybody believes road repair is necessary for improving the state's economy and for the general public's mental health while driving congested highways, yet, the double whammy of an increased vehicle registration fee and 43% gas tax increase will be a hard sell. Especially, to less well-off constituents those who have to drive a long way to get to work. The transportation issue and health care issue are different in many ways, but the idea of rushing through a measure that will pile new burdens on the public has a familiar feel to what happened recently in Washington.

The strategy behind quickly passing the two quite different bills is similar: Pass a measure before it gets tangled up in amendments. A lot of amendments can and should be had.

At the Concord news event yesterday, Gov. Brown said, "There is nothing more fundamental in the business of government than making sure the roads and bridges don't fall apart, and they are falling apart."

But if roads and bridges are a fundamental responsibility for government, why wasn't attention paid to them when the state budget grew dramatically since Brown returned to the governor's office?

Brown says if we don't address the problem now it will only get worse—and more expensive to fix. Right on both counts. However, using current transportation related dollars that find the way to non-transportation services or including proposals that will allow for more cost efficient repairs would go a long way to convince voters that government is trying to get the job done right and give good value for their tax dollars. It might even convince voters to chip in a little more to get the job done.

Legislators like Glazer are independent and not so easily coerced. Legislators should hear from their constituents before voting on the bill. Rushing through the transportation bill without sensible changes could result in the same fate as the health care bill.

Capitol Alert

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A state appeals court handed a victory to California's signature climate-change program on Thursday in a long-running lawsuit challenging the state's ability to collect revenue from auctions its sponsored for five years.

In a 2-1 decision, the 3rd District Court of Appeal upheld the California Air Resources Board's greenhouse gas cap-and-trade program.

Denise Davis, a spokeswoman for the California Chamber of Commerce, which is challenging cap and trade, said the organization is weighing its options.

"We are disappointed in the 2-1 decision," Davis said in an email. "We are reviewing the decision and evaluating our options."

The decision is a victory for Gov. Jerry Brown and legislative Democrats who are working on a package that would extend the life of the program.

'Buying' the votes for a gas-tax hike: Is it illegal or just good politics?

BY JIM MILLER, CHRISTOPHER CADELAGO AND TARYN LUNA

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California drivers will begin paying 12 cents per gallon more in gas taxes later this year, the first of several tax and fee hikes contained in this week's road-funding bill that eventually will cost the average motorist about \$120 a year.

It wasn't the sort of vote any politician likes to cast. So the measure's [success on Thursday](#) relied on a collection of eleventh-hour sweeteners offered by Gov. Jerry Brown and Democratic legislative leaders to reach the necessary two-thirds super-majority.

Now that the dust has settled, it's clear they doled out nearly \$1 billion in district-specific transportation projects, with a popular commuter train system linking the valley and Bay Area headed to new locales. It also appears architects could get legal indemnity in construction lawsuits, and four Riverside County cities could see a budget boost.

[54-26](#) Assembly vote to approve Senate Bill 1

[27-11](#) State Senate vote to approve Senate Bill 1

Assembly Republican Leader Chad Mayes, R-Yucca Valley, said some supporters of the measure, Senate Bill 1, had been "bought off."

"When was the last time any member of the Legislature got \$10 million, let alone \$427 million for one group of legislators, and \$500 million for another group of legislators?" asked Mayes after the Assembly sent the measure to Brown. "If the goal that we have in the Legislature is to represent all of California, then our goal shouldn't be, 'Hey, I'm gonna get my pet project for my district at the expense of someone else.' "

California's Constitution says this: "A person who seeks to influence the vote or action of a member of the Legislature in the member's legislative capacity by bribery, promise of reward, intimidation, or other dishonest means, or a member of the Legislature so influenced, is guilty of a felony."

The section rarely results in prosecutions at the Capitol. Prosecutors aren't likely to get involved unless a lawmaker benefits personally from voting for a bill, such as by receiving cash bribes or campaign contributions, experts in political law say.

"They're looking for the big score – a bribery case," said attorney Richard Pio Roda, who helps train local elected officials on ethics laws. "It's a matter of resources for them."

Still, the line between illegal vote-trading and the legal give-and-take of the legislative process can be a fine one.

Jessica Levinson, a Loyola Law School professor and president of the Los Angeles City Ethics Commission, said "vote-trading never happens, but vote-trading always happens."

"Politicians have to be able to compromise and to come to consensus. And I'm certain that part of that is, 'You help me and I'll help you,' " she said. "But you'll rarely have that e-mail where someone says 'I'll vote for this if you vote for that.' "

Jerry Brown defends local projects in road repair deal

Gov. Jerry Brown says the deals he cut to get the gas tax increase passed to repair California roads were "all good."

Brown, who says he will sign the measure when lawmakers return from their spring recess, was unapologetic. Asked about the deal-cutting following the vote, Brown told reporters that all of the money was being spent on worthwhile projects.

“That train going through the Central Valley, does anyone want trains more than me? No!” said Brown, who is behind the multibillion dollar high-speed rail system now under construction. “To get projects, and parks in some of the poorest neighborhoods of California, hallelujah!

“Sometimes these bills that take all these different arrangements and compromises help the very people that we came here to serve,” Brown added. “And I am here to help all Californians ... What you see in this bill is good. It’s all good.”

Carl Guardino, president and CEO of the Silicon Valley Leadership Group, who heavily lobbied lawmakers to back SB 1, said the assurances reflected good policy, specifically mentioning the money to pay for the extension of the Altamont Corridor Express train to Ceres and Merced. The cities are in the district of state Sen. Anthony Cannella of Modesto, the only Republican to support SB 1.

“We’re talking about the extension of a train that runs at more than 100 percent of capacity, as an alternative to the pock-marked parking lot known as Interstate 580,” Guardino said.

Money for district projects and other incentives have been a longtime part of high-stakes legislative deal-making, when every vote counts and lawmakers’ often seek recognition of district or other needs. The results have been community centers, tax breaks, friendly political remaps and even changes to the state constitution.

This week’s provisions stand out for the openness with which they occurred. Lawmakers spelled out the district-specific money in a separate bill, and recipients touted their gains in press releases.

“Cervantes Secures \$427 Million for Western Riverside County Roads and Infrastructure,” read the headline on a press release Assemblywoman Sabrina Cervantes sent out Friday. The money will go to several major interchange and grade separation projects in western Riverside County, a political swing area represented by Cervantes and Democratic state Sen. Richard Roth.

I GOT THE THINGS THAT WERE IMPORTANT TO ME.

State Sen. Anthony Cannella, the only Republican to support the gas-tax increase

For more than two years, Cannella has been the only Republican lawmaker open about his willingness to support higher gas taxes – as well as his requests for what he wanted for his district.

His support became crucial in recent days when it became clear that Democratic Sen. Steve Glazer would refuse to back the road bill unless it included a ban on transit strikes.

Around the Capitol this week, some insiders privately joked that the Altamont train, known as ACE, should be renamed the “Anthony Cannella Express.”

An unabashed Cannella said he’s termed out and doesn’t intend to run for other offices. He met late Wednesday at the governor’s mansion with Brown, Senate President Pro Tem Kevin de León and Assembly Speaker Anthony Rendon, D-Paramount.

“At the end of the day, they delivered,” Cannella said. “I can’t negotiate if I’m not willing to vote for it. I got the things that were important to me.”

Four cities will also benefit.

Until several years ago, the state’s newest cities, all in Riverside County, received an extra boost of revenue to help them get started. In 2011, though, lawmakers approved a budget package that sharply reduced that funding. Since then, Brown has vetoed several measures to restore it, saying it would result in long-term costs “the state’s budget cannot afford.”

Brown now has agreed to fix the situation, Roth and Cervantes said in a joint statement late Thursday after SB 1's approval.

"We are proud to have worked to secure a commitment from the Administration to properly fund Eastvale, Jurupa Valley, Menifee and Wildomar and finally deliver a measure of fairness and equity to Riverside County's four newest cities," they wrote.

Cannella also is in line to get Brown's signature on Senate Bill 496, a bill that emerged early Thursday after undergoing wholesale changes and is tied to the transportation package. The measure would give legal indemnity to design professionals, such as architects, land surveyors and engineers. Cannella is a civil engineer.

Opponents of that bill, including cities, counties, builders and others, have quickly mobilized to try to stop SB 496, calling it a "special-interest giveaway" to design professionals in a floor alert this week.

Assemblyman Devon Mathis, R-Visalia, said the deal-cutting "gets at the trust issue" with voters. "They are going to go cut deals in the dark so they can tax us more, and then go home and say 'look what I did for you.' You're just cutting your neighbor's throat," he said.

Rumors of other SB 1 vote-getting arrangements lingered in the Capitol this week.

Brown has yet to fill a vacancy on the Riverside County Board of Supervisors created by the Dec. 26 death of former lawmaker John J. Benoit from cancer. Among the rumored finalists for the appointment is former Assemblyman V. Manuel Perez, D-Coachella. As a lawmaker, Perez' district director was Greg Cervantes, the father of Sabrina Cervantes.

De León, Rendon and several other lawmakers, including Cervantes and Roth, have urged Brown to appoint Perez. She declined to talk after Thursday's vote. Brown's office said Friday that the governor is still reviewing candidates.

The following page(s) contain the backup material for Agenda Item: [Receive and File: The air toxics informational report. Presenter: Brad Poiriez](#)

**MINUTES OF THE GOVERNING BOARD
OF THE MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT
VICTORVILLE, CALIFORNIA**

AGENDA ITEM 11

DATE: April 24, 2017

RECOMMENDATION: Receive and file.

SUMMARY: The air toxics informational report.

CONFLICT OF INTEREST: None

BACKGROUND: In response to a news item on air toxics in the South Coast Air Quality Management District, the Governing Board directed staff to generate a report discussing specific air toxics in the District relative to the South Coast Air Quality Management District. Staff have prepared the requested report.

REASON FOR RECOMMENDATION: This item is provided for information subject to direction of the Governing Board.

REVIEW BY OTHERS: This item was reviewed by Karen Nowak, District Counsel, as to legal form and by Brad Poiriez, Executive Director, on or about April 10, 2017.

FINANCIAL DATA: No increase in appropriation is anticipated.

PRESENTER: Brad Poiriez, Executive Director

Ambient Toxic Metals in the News

Alan De Salvio

Deputy Director, Mojave Operations

Issue

Some toxic metals have been found at high levels in our upwind neighbor air district, the South Coast Air Quality Management District (South Coast). Both lead and chromium have been reported on in the news recently, the former from a battery recycling facility (Exide) and the latter mainly from various metal plating operations in Paramount. Lead and chromium are toxic metals of serious concern.

Background

South Coast covers the greater Los Angeles area with a huge population and an equally huge number of permitted facilities. In many cases they have in-fill population development, where homes have been built adjacent to (or inside) industrial zones, and they have brownfield development, where homes have been built on closed industrial sites. Due to the magnitude of their population and the variety of possible toxic exposures, South Coast started an ambient toxics monitoring program in the 1980s. Due to specific violations and public complaints South Coast performed facility-specific and location-specific toxics monitoring around the Exide facility and in Paramount. In each case South Coast found violating facilities (battery processing and metal plating) that were impacting the public.

Mojave Desert in Comparison

The Mojave Desert Air Quality Management District (Mojave Desert) is fundamentally different from South Coast in amount and density of population. We simply do not have the concentration of sources or of population that they do in South Coast. In particular, we do not have any battery recycling facilities and we have never had many plating facilities (as I write this we have one under permit, Precision Plating in Yucca Valley, and it is very tightly controlled and in compliance with those controls).

We do have other sources of air toxic emissions in the Mojave Desert. Any large combustion source will be an air toxic source, and our cement kilns and compressor stations are definitely large. However, our large sources are well controlled (by us, by the State of California and by the Federal government) and monitored, and are in compliance with their rules and regulations. We rigorously evaluate facility toxic emissions annually and as part of each permit application process – no permitted facility is creating an illegal toxic risk to the public.

Chromium History

The Mojave Desert does have some chromium history. The Hinkley compressor station released chromium into the local groundwater as a result of cooling tower operations – not

through an air toxic release. In addition, after chromium was found in the Crestmore area near a cement clinker finishing operation by South Coast in 2008, the Mojave Desert performed an extensive chromium testing regime on all phases of all three of our cement clinker operations in parallel with South Coast. We did not find elevated chromium in Oro Grande and we determined that all three cement clinker operations were in compliance with all chromium-related requirements. All active cement clinker had been moved to internal storage in compliance with recent federal requirements, and an old (sealed) exterior pile was removed under variance in Lucerne Valley. All three cement facilities cooperated fully and no violations were found.

Other Air Toxics in the Mojave Desert

Currently our population is mainly exposed to perchloroethylene from permitted dry cleaning, to benzene from permitted gasoline dispensing, and to diesel combustion exhaust.

Perchloroethylene is being phased out by the State of California for this reason – five dry cleaning operations are left using the solvent and their days are numbered. Benzene is controlled through gasoline vapor controls, and our current gasoline vapor controls are state of the art and tightly monitored. Our diesel engines are under tight permit conditions to minimize public exposure, and we have lowered our permit threshold to 50 horsepower to require permits on (and therefore limit) as many as is feasible.

If you have any questions please call me at 760-245-1661 x6726 or by email at adesalvio@mdaqmd.ca.gov.

The following page(s) contain the backup material for Agenda Item: 1) Award an amount not to exceed \$1,000,000 in Carl Moyer Program funds to the Mojave Northern Railroad Company for the replacement of one (1) locomotive with a new lower-emissions locomotive; and 2) Authorize the Executive Director to negotiate target ti

**MINUTES OF THE GOVERNING BOARD
OF THE MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT
VICTORVILLE, CALIFORNIA**

AGENDA ITEM 14

DATE: April 24, 2017

RECOMMENDATION: 1) Award an amount not to exceed \$1,000,000 in Carl Moyer Program funds to the Mojave Northern Railroad Company for the replacement of one (1) locomotive with a new lower-emissions locomotive; and 2) Authorize the Executive Director to negotiate target time frames and technical project details and execute an agreement, approved as to legal form by the Office of District Counsel.

SUMMARY: This item awards an amount not to exceed \$1,000,000 using Carl Moyer Program funding to the Mojave Northern Railroad Company for the replacement of one (1) older, higher polluting locomotive.

CONFLICT OF INTEREST: None

BACKGROUND: MDAQMD received an application from the Mojave Northern Railroad Company requesting Carl Moyer Program funding toward retirement and replacement of a locomotive. Mojave Northern Railroad Company (MNRRC) is a subsidiary of CEMEX that operates a dedicated private rail line to provide hauling services between the quarry plant at Black Mountain in Apple Valley and the finishing plant on the Mojave River at E Street in Victorville. MNRRC proposes voluntary participation in the Carl Moyer Program to reduce emissions by the retirement and replacement of a 1964 locomotive with a new Tier 4 locomotive by KLR. The project proposed is the permanent retirement of one (1) unregulated 1964 locomotive (featuring a 1971 engine) by combining \$1,000,000 in grant funding with additional funding contributed by MNRRC and a Detroit Diesel Corporation Consent Decree. District Staff has evaluated the application and found the proposed replacement project to satisfy the Carl Moyer eligibility requirements for a locomotive; and that the project is eligible to receive grant funding not to exceed \$1,000,000. The removal and destruction of the older locomotive provides significant criteria and toxic emission reductions in the air district and is extremely cost effective.

REASON FOR RECOMMENDATION: Governing Board approval is needed to fund Carl Moyer projects and Mobile Source Emission Reductions Program projects. Additionally, Governing Board authorization is needed for the Executive Director to negotiate and execute an agreement with the grant recipient.

**MINUTES OF THE GOVERNING BOARD
OF THE MOJAVE DESERT AIR QUALITY MANAGEMENT DISTRICT
VICTORVILLE, CALIFORNIA**

AGENDA ITEM 14

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REVIEW BY OTHERS: This agenda item was reviewed by Karen K. Nowak, District Counsel, as to legal form and by Brad Poiriez, Executive Director, on or before April 24, 2017.

FINANCIAL DATA: Sufficient funds are available from the District's Carl Moyer Program.

PRESENTER: Holly Noel, Grants Specialist

The following page(s) contain the backup material for Agenda Item: [Reports: Executive Director](#)



Community Relations & Education District Activity Report

April 2017

Residents Mow Through Electric Lawn Equipment During Annual Exchange

High Desert residents converged on the MDAQMD's 2017 Lawn & Garden Exchange on April 8 to trade in their gasoline-powered lawn equipment for 99 electric mowers, 51 blowers and 65 trimmers. 2017 marked the first time that lightweight lithium battery-powered equipment was made available to High Desert residents during the annual exchange, and the second year that the MDAQMD distributed emission-free electric blowers and trimmers.

2017 Poster Contest Primes Youngsters for Upcoming Wildfire Season

"Wildfire Season is Near...Breathe Easier This Year!" is the theme of the MDAQMD's 2017 Clean Air Month Poster Contest, which invites High Desert youngsters to compete for valuable gift cards by illustrating how residents can protect themselves from the effects of wildfire smoke. In the wake of last summer's devastating wildfire season, the contest aims to raise awareness about protecting one's health when the air becomes smoke-laden. Twelve contest winners from grades K through 12 will have their posters featured in the MDAQMD's 2018 calendar. Additionally, two entries will be randomly selected to win bikes donated by contest co-sponsor Victor Valley Transit Authority. The contest is also co-sponsored by the Daily Press and A&WMA's Mojave Desert Chapter. Entries will be accepted through May 10.

District Expands Summer Internship Program

The MDAQMD is currently recruiting for two summer interns for the Operations Section and one for its Community Relations & Education Office. This year, the program is being expanded to include students from other colleges within and adjacent to the District's jurisdiction, including UC Riverside, Victor Valley College, Barstow College, Copper Mountain College, Cal Poly Pomona and University of LaVerne. While the internships are unpaid, students can gain academic credit while participating in the program, in an area related to their field of study. Applications will be accepted through April 28, 2017. Additional information is available at www.mdaqmd.ca.gov.

Hesperia School Selected to Pilot AQ Flag Program

Maple Elementary School in Hesperia has been selected as the pilot school for the MDAQMD's first-ever School Flag program, a nationwide program which alerts schools to the local air quality forecast and helps them to take action to protect students' health. Each day, the school raises a flag that corresponds to how clean or polluted the air is. During wildfires, when the District issues smoke advisories, the corresponding flag can alert students and the community about how safe the air is to breathe. The color of the flag corresponds with the EPA's Air Quality Index (AQI). In the fall, Maple Elementary school representatives will attend the District's Governing Board meeting to share their experiences piloting the program. The School Flag Program will open up to other schools within the MDAQMD's jurisdiction in early May 2017.

Longtime AQ Tech Retires

After working for the MDAQMD since 1998, Air Quality Instrument Technician Aleksey Astakhov bid his District colleagues farewell during a lunchtime bar-b-que held in his honor on March 30, 2017. During the event, Executive Director Brad Poiriez presented Aleksey with a plaque, certificate and an "Authority to Retire" in recognition of his 18-plus years of service to the MDAQMD.

For more information on activities/projects listed above, contact the MDAQMD's Community Relations & Education Office at (760) 245-1661, ext. 6104.